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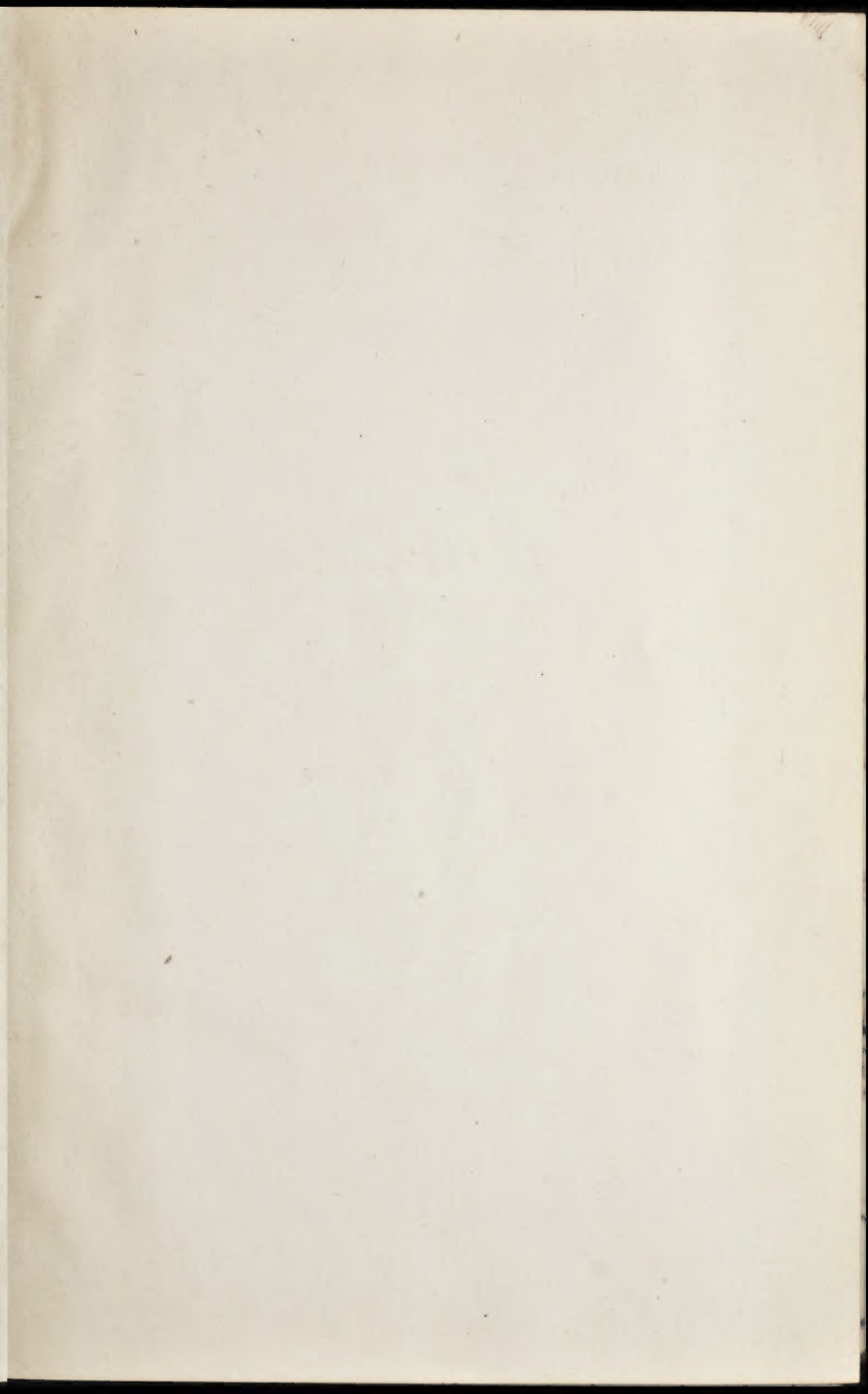
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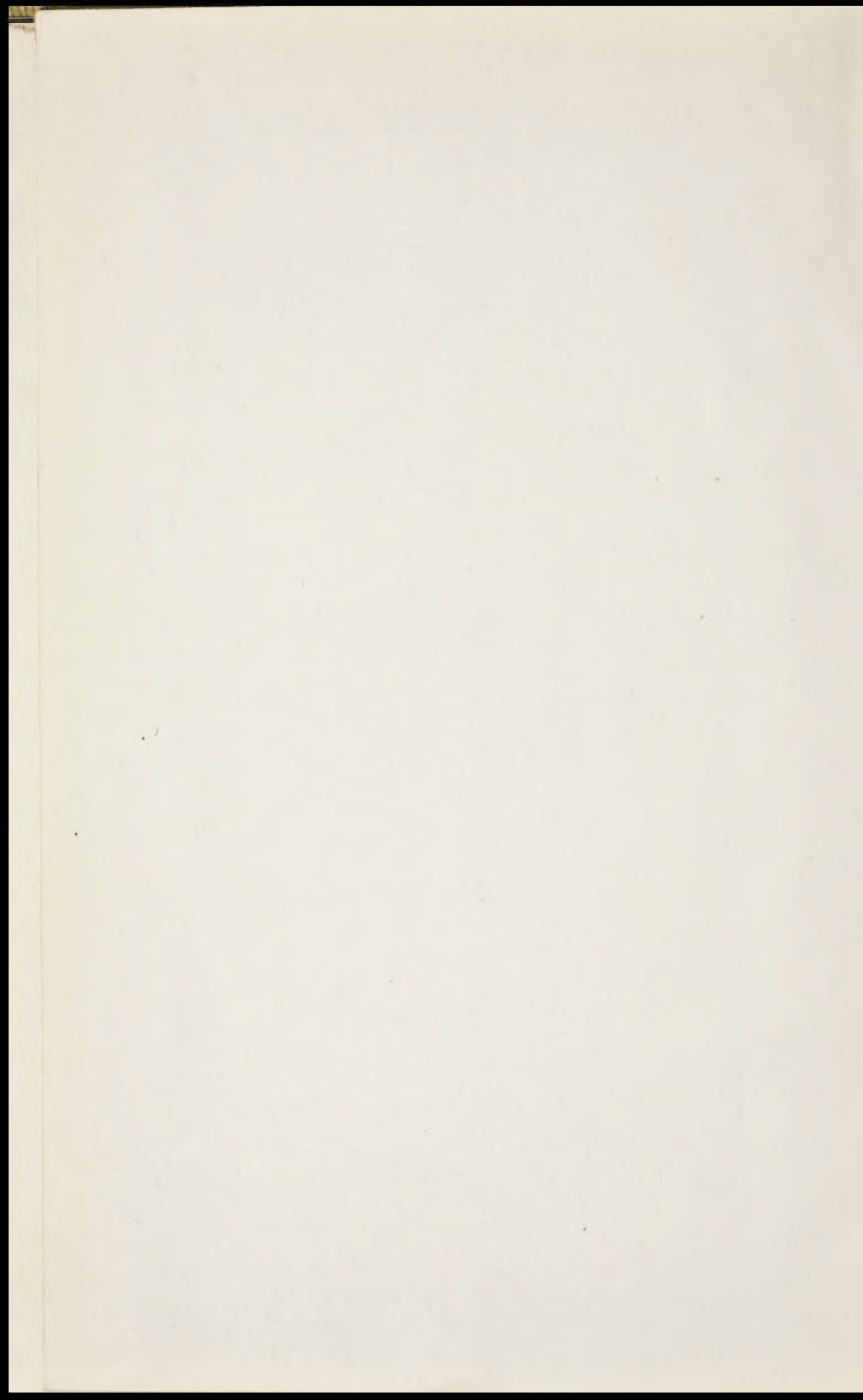


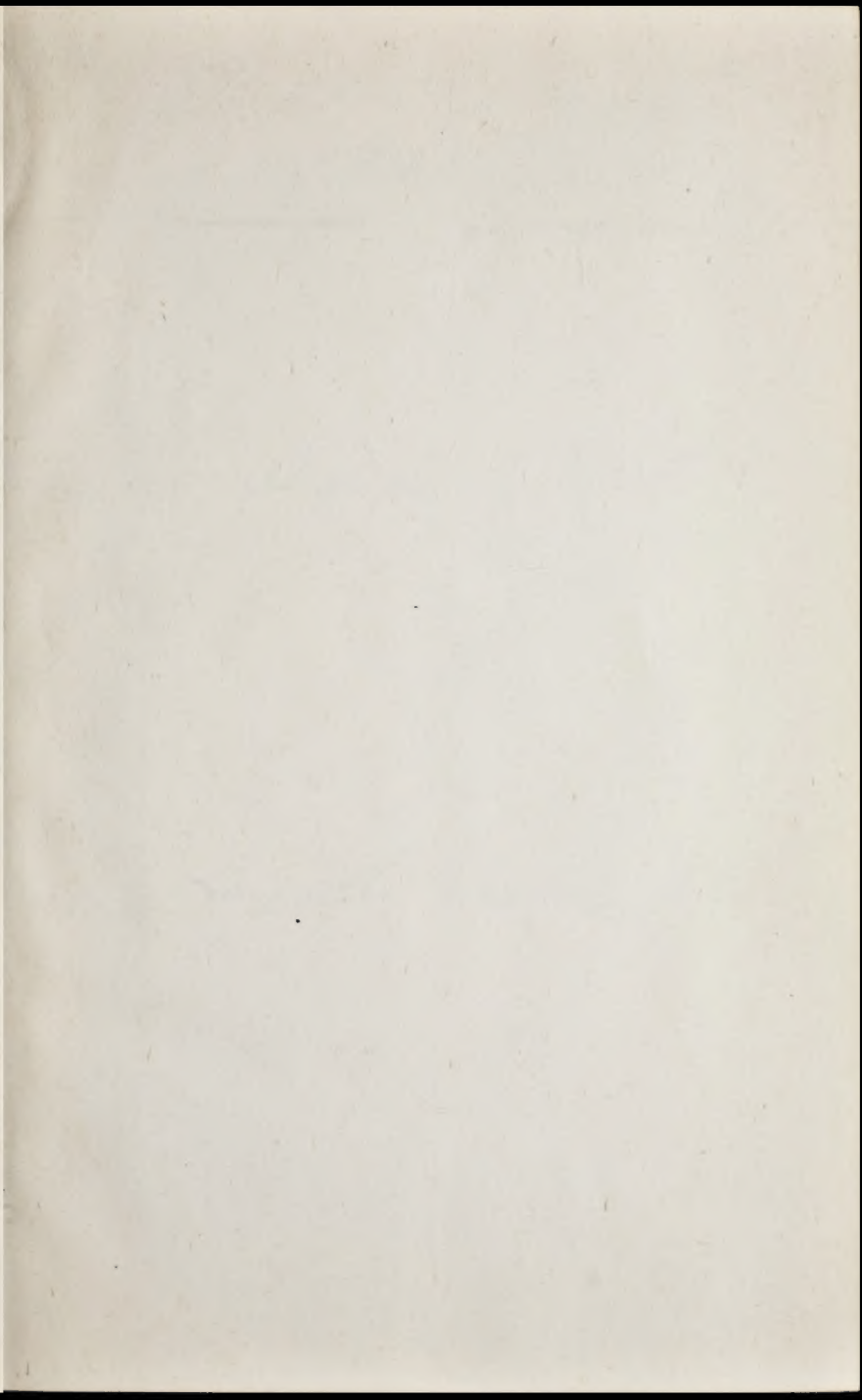
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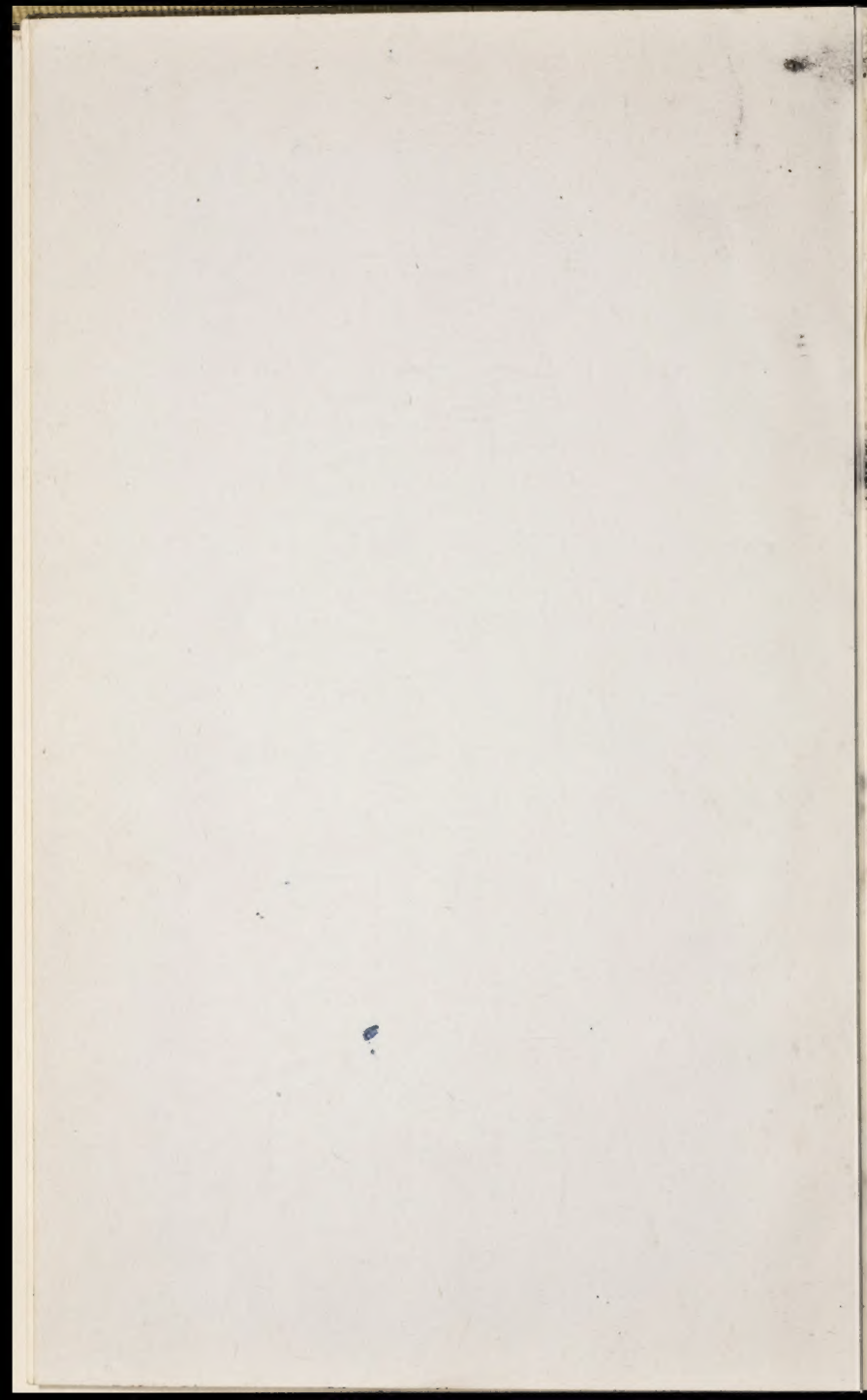
A large, faint, stylized drawing of a human figure, possibly a deity or a person in traditional attire, with arms raised and legs spread, set against a background of a grid of small circles. The figure is composed of simple lines and dots, giving it a schematic or symbolic appearance. The arms are raised high, and the legs are spread wide, suggesting a pose of power or divinity. The background consists of a grid of small circles, some of which are filled in, creating a textured effect. The overall style is reminiscent of ancient or indigenous art, possibly from a Mesoamerican culture like the Aztecs or Mayans.

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Department of Dakota
1810

General Orders 1 to 99

General Field Orders 102.

WEST POINT, NEW YORK



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INDEX

OF

GENERAL ORDERS,

DEPARTMENT OF DAKOTA,

1870.

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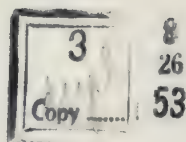
W. H. WATSON,

AT THE

ST. PAUL.

ASSISTANT ADJUTANT GENERAL'S OFFICE.

1871.



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Dept of Dakota
1870

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., January 4, 1870.

GENERAL ORDERS, {
No. 1. }

The dates of delivery of military convicts at the Minnesota State Penitentiary, at Stillwater, Minnesota, will hereafter be reported in writing to these Headquarters, without unnecessary delay, by the officers whose duty it shall be to cause the prisoners to be delivered at the designated place of confinement. These reports will contain explanations of any unusual delays that may occur in the transportation of the prisoners, or in their departure from the military posts where they are held in confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *John McCarty*, Company "A," 13th Infantry.
 2. Private *John Barry*, Company "A," 13th Infantry.
 3. Private *Michael Moore*, Company "A," 13th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., January 6, 1870.

GENERAL ORDERS, } No. 2. }

I..Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders No. 65, series of 1868, from these Headquarters, and of which Bvt. Lt. Col. F. L. Town, Surgeon U. S. Army, is President, were arraigned and tried :

1st. Private *John McCarty*, Company "A," 13th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—In this, that he, Private *John McCarty*, Company "A," 13th Infantry, did become under the influence

of liquor, and while in that condition, did assist, aid in and abet an unprovoked, malicious and dangerous attack, he striking one or more blows upon Private Charles Skinner, an acting non-commissioned officer of Company "A," 13th Infantry, Private Skinner being in charge of the squad-room, where the assault took place. All this at Fort Shaw, M. T., on or about Dec. 5th, 1869.

CHARGE II.—"Absence without leave."

Specification.—In this, that he, Private *John McCarty*, Company "A," 13th Infantry, did absent himself from his Company, from before inspection until some subsequent hour, being thereby absent from the inspection of his Company. All this without authority, on or about December 5th, 1869, at Fort Shaw, M. T.

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, for the period of four (4) months, and to forfeit to the United States ten dollars (\$10.00) of his monthly pay, for the same period."

2. Private *John Barry*, Company "A," 13th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—In this, that he, Private *John Barry*, Company "A," 13th Infantry, did become under the influence of intoxicating liquor, and while in that condition did assist, aid in and abet, an unprovoked, malicious and dangerous attack upon Private Charles Skinner, an acting non-commissioned officer of Company "A," 13th Infantry, Private Skinner being at the time in charge of the squad room, where the assault took place, saying at the time, "*This is the man who is going to run 'A' Company,*" and "*this is the man who is going to stop drinking in Company 'A,'*"—or words of like purport—and when he became aware the acting 1st Sergeant was about to arrest him, did, instead of surrendering himself, escape, so that his arrest was not effected until the next morning. All this at Fort Shaw, M. T., on or about December 5th, 1869.

CHARGE II.—"Absence without leave."

Specification.—In this, that he, Private *John Barry*, Company "A," 13th Infantry, did, after escaping from the Sergeant, as specified in the Specification to the 1st Charge, remain absent from his Company without proper authority, from soon after Retreat until subsequent to 10 o'clock P. M. of the same day. All this at Fort Shaw, M. T., on or about December 5th, 1869.

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st CHARGE—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d CHARGE—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*. 1st CHARGE—"Guilty," excepting the words, "*Saying at the time, 'this is the man who is going to run 'A' Company,' and 'this is the man who is going to stop drinking in Company 'A,' or words of like purport.'*" And of these words "Not Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d CHARGE—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor in charge of the guard until the expiration of his term of enlistment, which expires April 25th, 1870, and to forfeit to the United States five dollars (\$5) per month of his monthly pay for the same period."

3d. Private *Michael Moore*, Company "A," 13th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—In this, that he, Private *Michael Moore*, Company "A," 13th Infantry, did become under the influence of liquor, and did, while in that condition, assist, aid in and abet an unprovoked assault on Private *Charles Skinner*, an acting non-commissioned officer of Company "A," 13th Infantry, Private *Skinner* being, at the time, in charge of the squad-room, where the assault took place, and did subsequently to the first attack upon *Skinner*, strike him, the said *Skinner*, without provocation or warning, a severe and dangerous blow with a bayonet upon the head, and did, when he became aware that he was about to be arrested, escape from the Sergeant instead of surrendering himself, and did avoid arrest (by remaining away until a late hour) until the next morning.

All this at Fort Shaw, M. T., on or about December 5th, 1869.

CHARGE II.—“ Absence without leave.”

Specification.—In this, that he, Private *Michael Moore*, Company “A,” 13th Infantry, did, after escaping from the Sergeant, as specified in the Specification to the 1st charge, remain absent from his Company without proper authority, from soon after retreat until subsequent to ten o'clock P. M. of the same day. All this at Fort Shaw, M. T., on or about December 5th, 1869.

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st CHARGE—“ Not Guilty.”

To the 1st CHARGE—“ Not Guilty.”

To the *Specification*, 2d CHARGE—“ Not Guilty.”

To the 2d CHARGE—“ Not Guilty.”

FINDING.

Of the *Specification*, 1st CHARGE—“ Guilty,” with the exception of the following words, “ *become under the influence of liquor, and while in that condition, did assist, aid in, and abet an unprovoked, malicious and dangerous attack upon Private Charles Skinner,*” and “ *with a bayonet,*” and of these words—“ Not Guilty.”

Of the 1st CHARGE—“ Guilty.”

Of the *Specification*, 2d CHARGE—“ Guilty.”

Of the 2d CHARGE—“ Guilty.”

SENTENCE.

“ *To be confined at hard labor in charge of the guard until April 20th, 1870, and to forfeit to the United States five dollars (\$5) per month of his monthly pay, for the same period.*”

II..The proceedings in the cases of Privates *John McCarty*, *John Barry* and *Michael Moore*, Company "A," 13th Infantry, are approved, but—the Court having been dissolved previous to their trial—the sentences are remitted. They will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

Thomas Lieber
Major 13th Inf.
for duty

G. C. M.

Private *John Goans*, Company "E," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., JAN. 10, 1870.

GENERAL ORDERS, {
No. 3. }

I..Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 193, series of 1869, from these Headquarters, and of which Brevet Major General GEO. SYKES, Colonel 20th Infantry, is President, was arraigned and tried:

Private *John Goans*, Company "E," 20th Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—In this, that he, Private *John Goans*, Company "E," 20th Infantry, did feloniously take, steal and carry away, one pair of boots, valued at \$8.00 more or less, the property of Private David O'Hayer, Company "E," 20th Infantry. This at or near Fort Snelling, Minn., on or about the 16th day of December, 1869.

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty," except the words, "*feloniously steal and carry away*," but attach no criminality thereto.

Of the *CHARGE*—"Not Guilty."

And the Court does therefore *acquit him*.

II..The proceedings and findings in the case of Private *John Goans*, Company "E," 20th Infantry, are approved. He will be released from confinement and returned to duty.

III..The General Court Martial, which convened at Fort Snelling, Minn., by virtue of General Orders No. 193, series of 1869, from these Headquarters, and of which Brevet Major General GEO. SYKES, Colonel 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

Herman Licher
May 13 1870
Adj. Gen. Hancock

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JANUARY 11, 1870.

GENERAL ORDERS, }
No 4 }

Major R. S. LAMOTTE, 13th Infantry, is hereby temporarily assigned to duty at these Headquarters, as Acting Assistant Inspector General of the Department. He will be obeyed and respected accordingly.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.





HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JANUARY 14, 1870.

GENERAL ORDERS. {
No 5 }

The attention of Post Commanders is called to the provisions of General Orders No. 50, series of 1869, Headquarters of the Army, Adjutant General's Office, which require quarterly reports of "small arm target practice," to be transmitted to the Chief of Ordnance. Blanks for these Reports will be furnished by the Chief of Ordnance, on the application of the officer charged with the supervision of the target practice ; and the reports should be made out on these blanks only.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.





HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JANUARY 15, 1870.

GENERAL ORDERS /
No. 6. }

So much of the instructions contained in the Circular Letter of January 1st, 1869, from the office of the Inspector General at these Headquarters, as authorizes certain commanding officers of Districts in this Department to order the inspection for condemnation, of damaged public property at posts in their respective Districts, upon receipt of Inventories thereof, and to designate an officer for the performance of that duty, is hereby revoked.

With the special exceptions authorized by Paragraph 1023, Revised Army Regulations of 1863, and the further exception, that when troops at remote posts are *changing stations*, all "Inventory and Inspection Reports" of public property presented for condemnation, must be forwarded to these Headquarters for the appointment of an inspecting officer, and after his action they must be again returned to Department Headquarters, for the orders of the Department Commander, directing the final disposition of the property. In the exceptional cases above mentioned, the commanding officer (or the next senior officer present, when the commanding officer is himself responsible for the property,) must act as the Inspector without previous reference to these Headquarters, and in the case of contagious disease among the public animals, or when provisions or other stores are rapidly deteriorating, the commanding officer will or not order the final disposition as may be best for the public interests.

In the exceptional case of "troops changing stations," the final disposition of the property will only be made on the orders of the Department Commander.

Officers having public property in charge, are informed that "Inventory and Inspection Reports" are now required to be made in quadruplicate instead of in triplicate as heretofore.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JANUARY 24, 1870.

GENERAL ORDERS, {
No. 7. }

Frequent complaint being made by discharged soldiers applying for re-enlistment, that on discharge from service, and transfer of their "final statements" to the post trader, they had been "compelled to leave their parchment discharge with the trader as a part of the final statements," the attention of all officers, soldiers and post traders in this Department is called to printed note No. three (3) on the blank form for final statements, which clearly explains the proper manner of effecting the transfer. After the discharge has been endorsed as therein directed, it is hereby made the duty of the officer signing the discharge, to give it *in person* to the man discharged, with instructions to keep it, and under no circumstances can he be compelled to part with it

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

17th March 1900

Dear Sir,

I have the pleasure to inform you

that the same has been

forwarded to you by the

Post Office on the 17th

inst.

Yours faithfully,

W. H. H. H. H.

17th March 1900

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JANUARY 31, 1870.

GENERAL ORDERS, }
No. 8. }

To meet the requirements of Paragraphs 1054 and 1055, Revised Army Regulations, every disbursing officer in this Department will forward to these Headquarters, at the end of each quarter, commencing March 31st, 1870, an abstract "of all moneys" received, paid, or contracted to be paid by him during the quarter, with a copy of the order or authority for the purchases, and showing the quantity purchased and price paid for each article. In case no such purchases have been made during the quarter, a letter to that effect will be transmitted.

The abstracts will be accompanied with full explanations, by the accounting officer and the Post Commander, of every circumstance that may be necessary to a complete understanding, by the Department Commander, of all the items on the abstracts.

In case the exigencies of the service require any purchase of stores to be made in open market, by a Post Quartermaster or Commissary, for immediate service, (time not permitting previous reference to these Headquarters,) such purchase will be made on the written order of the commanding officer of the post, and the fact will be *at once* reported by letter, enclosing a copy of the order authorizing it, and explaining the necessity therefor.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *James O'Connell*, Company "D," 22d Infantry.
 2. Private *Rinaldo Halstead*, Company "C," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., FEBRUARY 1, 1870.

GENERAL ORDERS, } No. 9. }

I..Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 200, series of 1869, from these Headquarters, and of which Brevet Colonel J. N. G. WHISTLER, Major 22d Infantry, is President, were arraigned and tried:

1st. Private *James O'Connell*, Company "D," 22d Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification I.—In this, that he, the said *James O'Connell*, Private, Company "D," 22d U. S. Infantry, was found in the company kitchen after taps, in violation of existing orders, and being ordered by 1st Sergeant August Siebrecht, Company "D," 22d U. S. Infantry, to go to his quarters, did refuse to do so, using the following abusive language, to-wit: "You nor any other living son-of-a-bitch can make me go to my quarters," or words to that

effect. This at Fort Randall, D. T., on or about the night of the 29th day of November, 1869.

Specification II.—In this, that he, the said *James O'Connell*, Company "D," 22d U. S. Infantry, after refusing to go out of the kitchen, did blow out a lighted candle, thereby darkening the kitchen for the purpose of assailing the 1st Sergeant, August Siebrecht, Company "D," 22d U. S. Infantry, he being in the execution of his duty. This at Fort Randall, D. T., on or about the night of the 29th day of November, 1869.

Specification III.—In this, that he, the said *James O'Connell*, Private Company "D," 22d U. S. Infantry, did run to his squad room, took up an axe, and swinging the axe over his head, accosted the 1st Sergeant, August Siebrecht, Company "D," 22d U. S. Infantry, (who came into the room to arrest the said O'Connell,) with the following abusive language: "Get out of this room or I'll finish you," or words to that effect. This at Fort Randall, D. T., on or about the night of the 29th day of November, 1869.

Specification IV.—In this, that he, the said *James O'Connell*, Private Company "D," 22d U. S. Infantry, did run about the company quarters swinging an axe, and addressing a file of armed men under command of Corporal Michael Landon, Company "D," 22d U. S. Infantry, (who had received orders to arrest the said O'Connell,) with the following abusive language: "You can't arrest me; don't attempt it, or I'll crack some of your damned heads," or words to that effect. This at Fort Randall, D. T., on or about the night of the 29th day of November, 1869.

Specification V.—In this, that he, the said *James O'Connell*, Private Company "D," 22d U. S. Infantry, after refusing to surrender, left his company quarters, and keeping concealed from the men ordered to arrest him, for one hour, more or less, surrendered himself to the Sergeant

commanding the guard. This at Fort Randall, D. T., on or about the night of the 29th day of November, 1869.

To which CHARGE and *Specifications* the prisoner pleaded as follows:

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the 3d *Specification*—"Not Guilty."

To the 4th *Specification*—"Not Guilty."

To the 5th *Specification*—"Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*.—"Guilty."

Of the 2nd *Specification*.—"Not Guilty."

Of the 3rd *Specification*.—"Guilty."

Of the 4th *Specification*.—"Not Guilty."

Of the 5th *Specification*.—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor under charge of the guard, for six (6) months, and to forfeit fifteen dollars (\$15) of his monthly pay for the same period."

2d. Private *Rinaldo Halstead*, Company "C," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—In this, that he, Private *Rinaldo Halstead*, Company "C," 22d Infantry, having been detailed to cut hay, did while out with the haying party, leave the camp without permission, and after having been ordered by the Sergeant in charge, not to do so. All this at or near the camp of haying party, near Fort Randall, D. T., on or about the 20th day of September, 1869.

Specification II.—In this, that Private *Rinaldo Halstead*, Company “C,” 22d Infantry, did, when ordered by the Sergeant in charge of haying party, to return to the camp, reply as follows: “I will not do it, and if you follow me I will break my gun over your head, you damned bastard,” or words to that effect. All this at or near the camp of haying party, near Fort Randall, D. T., on or about the 20th day of September, 1869.

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—“Not Guilty.”

To the 2d *Specification*—“Not Guilty.”

To the CHARGE—“Not Guilty.”

FINDING.

Of the 1st *Specification*—“Guilty.”

Of the 2d *Specification*—“Guilty.”

Of the CHARGE—“Guilty.”

SENTENCE.

“To forfeit to the United States ten dollars (\$10) of his monthly pay for three (3) months.

II..The proceedings and findings in the foregoing cases of Privates *James O’Connell*, Company “D,” and *Rinaldo Halstead*, Company “C,” 22d Infantry, are approved. The sentences are confirmed, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Robert Mackin*, Company "F," 20th Infantry.
 2. Private *Hugh Ingraham*, Company "F," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., FEBRUARY 2, 1870.

GENERAL ORDERS, }
No. 10. }

I. . Before a General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 5, current series, from these Headquarters, and of which Brevet Brigadier General L. C. HUNT, Lieutenant Colonel, 20th Infantry, is President, were arraigned and tried :

1st. Private *Robert Mackin*, Company "F," 20th Infantry.

CHARGE.—" Drunkenness on duty."

Specification.—In this : that he, Private *Robert Mackin*, Company "F," 20th U. S. Infantry, having been duly warned for police guard, by 1st Sergeant Sala Kahn, Company "F," 20th Infantry, at retreat roll call, on the 28th day of December, 1869, did appear at guard mounting on the 29th day of December, 1869, so drunk as to be unable to perform the duties of a sentinel properly. This at Fort Abercrombie, D. T., on or about the 28th and 29th days of December, 1869.

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, at the station of his Company, for the period of (3) three calendar months."

2d. Private *Hugh Ingraham*, Company "F," 20th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification I.—In this: that he, Private *Hugh Ingraham*, Company "F," 20th U. S. Infantry, having been duly detailed for police guard by 1st Sergeant Kahn, Company "F," 20th Infantry, did absolutely refuse to go on guard, and did say to 1st Sergeant Sala Kahn, Company "F," 20th U. S. Infantry, "God damn your soul, you aint fit to be a 1st Sergeant. I will kick your brains out the first chance I get," or words to that effect. This at Fort Abercrombie, D. T., on or about the 25th day of December, 1869.

Specification II.—In this, that he, the said Private *Hugh Ingraham*, Company "F," 20th U. S. Infantry, did, without just cause or provocation, strike 1st Sergeant Sala Kahn, Company "F," 20th U. S. Infantry, in the face, he (Sergeant Sala Kahn) being at the time in the performance of his duties. This at Fort Abercrombie, D. T., on or about the 29th day of December, 1869.

CHARGE II.—“ Drunkenness on duty.”

Specification.—In this: that he, the said Private *Hugh Ingraham*, Company “F,” 20th U. S. Infantry, having been duly warned for police guard by 1st Sergeant *Sala Kahn*, Company “F,” 20th U. S. Infantry, at retreat roll-call, on the 28th day of December, 1869, did appear at guard mounting, on the 29th day of December, 1869, so drunk as to be unable to perform the duties of a sentinel properly. This at Fort Abercrombie, D. T., on or about the 28th and 29th days of December, 1869.

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the 1st *Specification*, 1st Charge—“ Not Guilty.”

To the 2d *Specification*, 1st Charge—“ Not Guilty.”

To the 1st CHARGE—“ Not Guilty.”

To the *Specification*, 2d Charge—“ Not Guilty.”

To the 2d CHARGE—“ Not Guilty.”

FINDING.

Of the 1st *Specification*, 1st Charge—“ Guilty,” except the words: “ *Did absolutely refuse to go on guard.*”

Of the 2d *Specification*, 1st Charge—“ Not Guilty.”

Of the 1st CHARGE—“ Guilty.”

Of the *Specification*, 2d Charge—“ Guilty.”

Of the 2d CHARGE—“ Guilty.”

SENTENCE.

“ *To be confined at hard labor, under the charge of the guard, at the station of his Company, for the period of three calendar months, and that he forfeit to the United States ten dollars of his monthly pay, for the same period.*”

II..The proceedings and findings in the foregoing cases of Privates *Robert Mackin* and *Hugh Ingraham*, Company “F,”

20th Infantry, are approved. The sentences are confirmed and will be duly executed.

III..The General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders, No. 5, current series, from these Headquarters, and of which Brevet Brigadier General L. C. HUNT, Lieutenant Colonel, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., February 4, 1870.

GENERAL ORDERS, } No. 11.

The following list of Returns and Reports, required by the Chief Quartermaster of the Department, from officers in this command, doing duty in the Quartermaster's Department, is published for the information of all concerned. The Returns and Reports mentioned, are to be transmitted *addressed* to the Chief Quartermaster.

Report of Persons and Articles employed and hired.

Muster Roll of extra duty men.

Report of stores received for transportation and distribution, with an additional column for "weight."

Tabular statement of stores received, (called for by Circular from office of Chief Quartermaster, April 26, 1869.)

Return of public animals, wagons, harness, &c.

Report of Forage which has been issued, &c.

Estimate of funds, with list of outstanding debts accompanying each copy, (three months in advance and in triplicate.)

Account current.

Personal report.

Report of officers to whom public moneys, Quartermaster's stores, Clothing, Camp, and Garrison Equipage, have been transferred.

Report of public buildings in process of construction, being repaired, &c.

Report of Fuel.

Statement of amounts paid on transportation.

Consolidated Report of Government troops, stores, &c. transported.

Report of Transportation pay orders, received, issued, &c.

Abstract of same.

Abstract of articles purchased, &c., "D." (See Circular from office of Chief Quartermaster, October 18th, 1869.)

List of vouchers issued. (See Circular from office of Chief Quartermaster, November 5th, 1869.)

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., FEB 8, 1870.

GENERAL ORDERS, } No. 12. }

I...On the first day of April and first day of December of each year, every Post Commander in this Department will make a thorough inspection of the Subsistence supplies at his post, and the buildings in which they are stored, and report the result of such inspection to these Headquarters. The following points will be embraced in the report: The verification of the supplies on hand, when practicable—the quality of the stores and their condition—whether the stores longest on hand have been issued first—whether sales have been made for the benefit of the enlisted men (through their Commanding Officers) under Paragraph 1229, Regulations of 1863—whether there are any bad or damaged stores on hand, and if any, (specifying articles and quantities,) the cause thereof—condition of the store-houses—whether they are dry and well ventilated—what security they possess against fire, and from loss by theft—whether the forage and other Subsistence supplies are kept under sentinels; and such other information as the Post Commander may deem expedient to give in regard to these and kindred subjects.

II...On the last day of each month, or as soon thereafter as practicable, each officer performing Subsistence duty in this Department, will forward *addressed* to the Chief Commissary at these Headquarters, the following papers:

1st. Report of stores and funds on hand, (on blanks furnished for the purpose.)

2d. Copy of his Return of provisions, Commissary property, and Account Current for the month (without vouchers)

3d. List of persons employed by him, (whether soldiers or civil-

ians) showing their occupation, rate of compensation, and authority for their hire.

III. . All estimates for Funds, Requisitions, Contracts, Reports to, and Correspondence with, the Commissary General, (other than Reports and Returns required by the Regulations) will be forwarded through the Post Commanders, *addressed* to the Assistant Adjutant General of the Department.

The yearly requisitions will be made out in accordance with Circular No. 10, of 1867, office Commissary General Subsistence U. S. A., and should reach this office *not later* than January 15th. On these requisitions, or in their letters of transmittal, Post Commissaries will state whether any of the articles required can be purchased in the vicinity of their posts, in what quantities and at what prices, and will make such suggestions with reference to supplying the troops from the country in the vicinity, the routes of transportation, &c., as they may think proper.

Before estimating for Subsistence stores, each Acting Commissary of Subsistence, will, in person, carefully examine the stores on hand, and in his estimate, as well as in the monthly reports, state whether any of the articles are unfit for issue, or damaged, and if so, to what extent. These requisitions will be made in triplicate, and be approved by the Post Commander—two copies to be forwarded to these Headquarters, and one copy retained at the Post.

IV... Many of the articles now supplied by the Subsistence Department, for sales to officers and company messes, being necessarily in small packages, and requiring special care to guard against theft, a small room, suitable for keeping them under lock and key, and furnished with shelves for their storage, will be provided *within* the Subsistence store-house at each post.

Each Acting Commissary of Subsistence will see that his store-house is sufficiently capacious for the proper storage and care of the subsistence stores, dry, well ventilated, and secure from theft; and when necessary, make the proper requisition on the Post Quartermaster, for required repairs.

V... Supplies must be properly stored and frequently inspected by the officer responsible for them, the damaged separated from the sound, and the damaged brought before a Board of Survey for re-

report, and an Inspector for his action. The date of purchase of the stores, where purchased, name of person from whom purchased, initials of purchasing officer, and date of receipt at the post, should be stated in the proceedings of Boards of Survey, and upon the Inventory and Inspection Reports of all stores examined by the Board or Inspector.

VI...When a Board of Survey finds public supplies to be damaged or lost through the fault of any person or persons, it will assess the money value of such damage or loss, and the officer convening the Board will, in his remarks upon the proceedings, state what measures have been taken to recover, from the party or parties liable, the amount of such assessment. Carriers and Contractors for transportation of supplies, should be charged on their bills of lading, before such are signed, with the money value of articles which are assessed to them by Boards of Survey. A failure to do this will throw the responsibility on the officer who may have signed the bill of lading, without having first called for the Board of Survey to examine into losses and fix responsibility thereof.

VII...Every officer on being relieved from duty in the Subsistence Department, will transfer to his successor all public books and papers which relate to his duties in the Subsistence Department, and which may not be required in the settlement of his accounts at the Treasury. The officer relieved will procure from the officer relieving him, a receipt in duplicate for all the public books, orders, circulars, &c., turned over by him—one copy of which, with a copy of the order appointing his successor Acting Commissary of Subsistence, he will, without delay, forward to the Chief Commissary of the Department.

VIII...In all duties pertaining to the Subsistence Department, a rigid economy is enjoined, and officers will be held strictly accountable for the proper care of the stores under their charge. A strict compliance with the Regulations and Circulars from the Commissary General's Office, will be required. Where officers have not copies of the Regulations and Circulars from the office of the Commissary General, they will, at once, make application to the Chief Commissary of the Department, for them.

The attention of all officers performing Subsistence duty in the

Department, is particularly called to General Orders No. 48, of 1869, from the Adjutant General's Office, Washington, D. C., to "Miscellaneous Items," page 301, Revised Army Regulations, of 1863, and to the following Circulars from Office of Commissary General of Subsistence, viz:

No. 19, of 1866, and Nos. 6, 8 and 9 of 1867.

BY COMMAND OF MAJOR GENERAL HANCOCK..

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., FEBRUARY 11, 1870.

GENERAL ORDERS, {
No. 13. }

So much of General Orders No. 96, series of 1869, from these Headquarters, as direct Returns of Post and Company Funds to be furnished to Department Headquarters, is hereby revoked. The attention of all officers responsible for Post and Company Funds, is called to the provisions of War Department General Orders No. 22, series of 1866.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Private *John Brennan*, Company "G," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., FEBRUARY 18, 1870.

GENERAL ORDERS, { No. 14. }

I..Before a General Court Martial, which convened at Fort Rice, D. T., by virtue of Special Orders No. 200, series of 1869, from these Headquarters, and of which Captain GEORGE W. HILL, 22d Infantry, is President, was arraigned and tried:

Private *John Brennan*, Company "G," 22d Infantry.

CHARGE I.—"Violation of the 46th Article of War."

Specification.—In this, that he, *John Brennan*, a duly enlisted soldier in the service of the United States, and a Private of Company "G," 22d Regiment of U. S. Infantry, did, while a member of the post guard of the post of Fort Rice, D. T., and when duly posted as a sentinel on north-east Bastion of said post, sit down and go to sleep. This at Fort Rice, D. T., on or about the morning of the 5th of September, 1869.

CHARGE II.—"Neglect of duty."

Specification.—In this, that he, Private *John Brennan*, Company "G," 22d U. S. Infantry, having been duly posted as a sentinel on post known as No. 2, of the post of Fort Rice, D. T., and before being regularly relieved, did sit down on his post, and did fail to challenge the Officer of the Day, when that officer approached his post, about the hour of 4 o'clock A. M., on the 5th day of September, 1869.

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty," excepting the words, "*and go to sleep.*"

Of the 1st CHARGE—"Not Guilty," but guilty of "*conduct to the prejudice of good order and military discipline.*"

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"*To forfeit to the United States all pay and allowances now due, or that may become due, and to be dishonorably discharged the service of the United States.*"

II.. So much of the sentence in the foregoing case as relates to a dishonorable discharge, is disapproved. Should such punishment be accepted as a proper one for the offences of which the prisoner has been found guilty, it would open an easy way out of the service to those desiring to leave it. Nor should the Government be put to the expense of enlisting men, sending them to distant posts, and discharging them for

offences of this character—eminently cases for the application of discipline.

The record is defective, also, in that the sentence is not certified by the signature of the President and Judge Advocate, as required by Paragraph 891, of the Regulations.

It appearing that the prisoner has already been in confinement since September 5th, 1869, the record is not returned to the Court, but the proceedings are disapproved. The prisoner will accordingly be released from confinement and restored to duty.

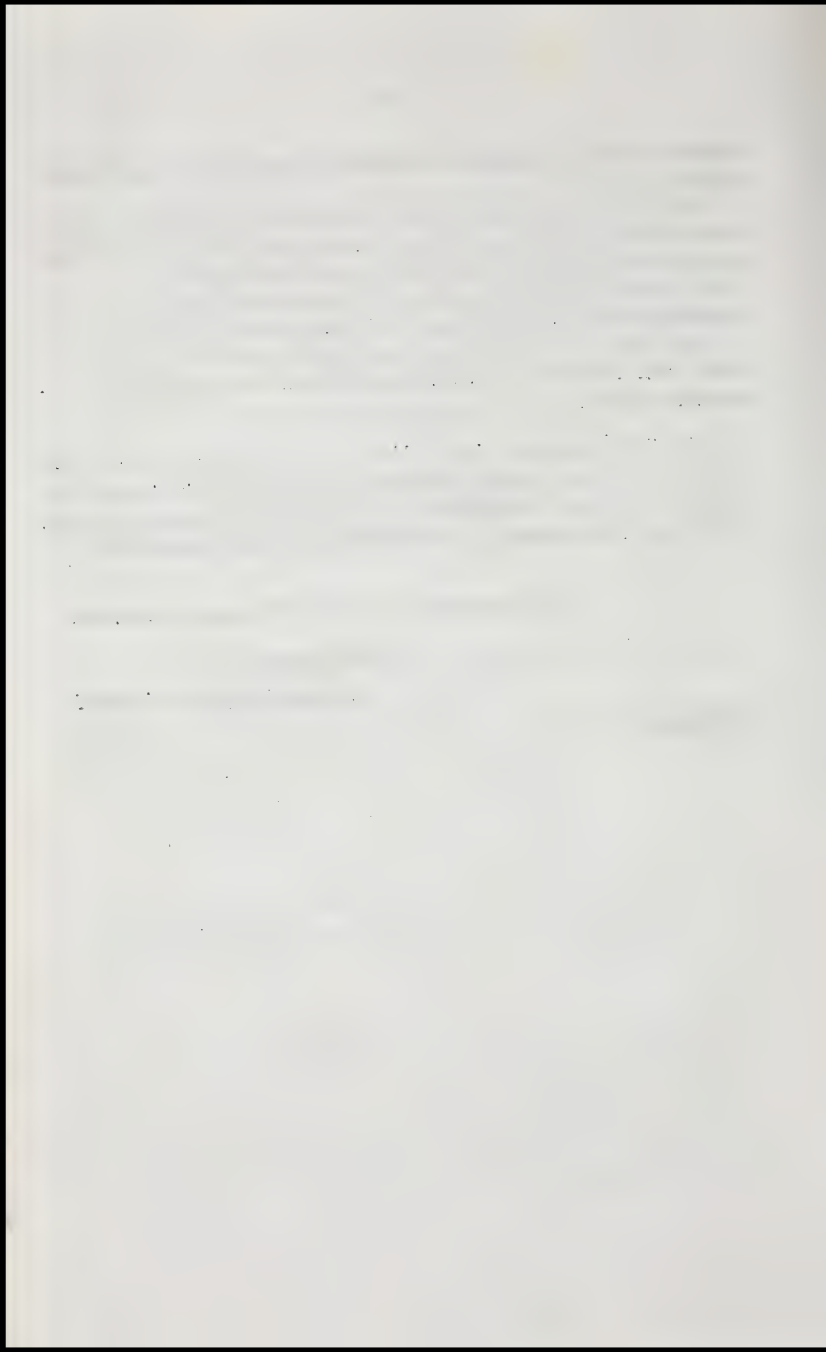
III..The General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 200, series of 1869, from these Headquarters, and of which Captain GEORGE W. HILL, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., FEBRUARY 19, 1870.

GENERAL ORDERS, }
No. 15.

Captain D. P. HEAP, Corps of Engineers, having reported at these Headquarters for duty, in compliance with General Orders No. 16, current series, from Headquarters of the Army, Adjutant General's Office, is announced as Chief Engineer of the Department. He will receipt to Brevet Major W. J. TWINING, Captain Corps of Engineers, for all funds and property pertaining to the Engineer service of this Military Department.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *Robert Hampton*, Company "E," 22d Infantry.
 2. Recruit *Jacob Hen*, 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., FEB. 23, 1870.

GENERAL ORDERS, } No. 16. }

I.. Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 200, series of 1869, from these Headquarters, and of which Brevet Colonel J. N. G. WHISTLER, Major 22d Infantry, is President, were arraigned and tried :

1st. Private *Robert Hampton*, Company "E," 22d Infantry.

CHARGE.—"Desertion."

Specification.—In this, that he, Private *Robert Hampton*, Company "E," 22d Infantry, (old organization) having been duly enlisted into the service of the United States, did desert the same, and did remain absent until he delivered himself up as a deserter, at Fort Randall, D. T., on or about the 5th day of August, 1869. This at Fort Sully, D. T., on or about the 23d day of April, 1869.

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To make good the time lost by desertion; to forfeit all pay and allowances that are, or may become due—except the just dues of the laundress—until the promulgation of his sentence; and to be confined at hard labor under charge of the guard, for six (6) months, forfeiting fifteen dollars (\$15) per month for the same period."

2d. Recruit *Jacob Hen*, 22d Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—In this, that he, *Jacob Hen*, Recruit 22d U. S. Infantry, did feloniously take, steal and carry away, and appropriate to his own use, one blanket of the value of \$4.00, the property of Mrs. Catherine Coleman, from a clothes line belonging to the said Mrs. Catherine Coleman, a laundress of Company "C," 22d Infantry. All this at or near Fort Randall, D. T., on or about the 14th day of December, 1869.

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the *CHARGE*—"Not Guilty."

And the Court do therefore *acquit him*, the said Recruit *Jacob Hen*, 22d Infantry.

II..The proceedings and findings in the case of Private *Robert Hampton*, Company "E," 22d Infantry, are approved. The sentence is confirmed, and will be duly executed.

In the case of Recruit *Jacob Hen*, 22d Infantry, the proceedings, findings and acquittal are approved. Orders have heretofore been issued for the prisoner's release from confinement, and restoration to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

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G. C. M.

1. Private *Napoleon B. Land*, Company "G," 20th Infantry.
 2. Private *Harry Love*, Company "G," 20th Infantry.
 3. Private *John Farrell*, Company "G," 20th Infantry.
 4. Private *Edward Wells*, Company "G," 20th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., FEBRUARY 28, 1870.

GENERAL ORDERS, } No 17. }

I..Before a General Court Martial which convened at Fort Ripley, Minn., by virtue of Special Orders No. 18, current series, from these Headquarters, and of which Brevet Brigadier General O. D. GREENE, Major, Adjutant General's Department, is President, were arraigned and tried:

1st. Private *Napoleon B. Land*, Company "G," 20th Infantry.

CHARGE I.—"Drunkenness on duty, to the prejudice of good order and military discipline."

Specification.—In this, that Private *Napoleon B. Land*, Company "G," 20th Infantry, having been regularly detailed and mounted on guard, and posted as sentinel over the stables at Fort Ripley, Minnesota, did become so much intoxicated as to render himself incapable of properly per-

forming his duties as a sentinel. This on or about the night of the 24th of January, 1870, at the place above mentioned.

CHARGE II.—“Leaving his post while on guard, without being properly relieved.”

Specification—In this, that said Private *Napoleon B. Land*, Company “G,” 20th Infantry, having been regularly detailed and mounted on guard, and posted as a sentinel, as above stated, did quit his post without being properly relieved, and did remain absent from his post until arrested by a patrol sent out for that purpose. This on or about the night of the 24th of January, 1870, at Fort Ripley, Minnesota.

CHARGE III.—“Violation of the 38th Article of War.”

Specification—In this, that said Private *Napoleon B. Land*, Company “G,” 20th Infantry, having been regularly detailed and mounted on guard and posted as sentinel, as heretofore stated, did throw away, lose, and fail to properly account for, or turn in to the Commanding officer of his Company, his musket. This on or about the night of the 24th of January, 1870, at Fort Ripley, Minnesota.

CHARGE IV.—“Conduct prejudicial to good order and military discipline.”

Specification I.—In this, that said Private *Napoleon B. Land*, Company “G,” 20th Infantry, having been regularly detailed and mounted on guard, and posted as sentinel as aforesaid, and having challenged the Corporal of the Guard—Corporal Frederick Knight, by whom he was properly answered, did reply in a disrespectful and insulting manner, “*Bugger the Corporal of the Guard*,” or words to that effect, to said Corporal Knight, who was then and there in the proper and lawful discharge of his duties as Cor-

poral of the Guard. This on or about the night of the 24th of January, 1870, at Fort Ripley, Minnesota.

Specification II.—In this, that when said Corporal Frederick Knight, who was then and there in the proper discharge of his duties as Corporal of the Guard, did attempt to relieve said Private *Napoleon B. Land*, from post as sentinel, (he, said *Land*, having been regularly detailed on guard and posted as sentinel, as aforesaid,) he, the said Private *Napoleon B. Land*, did assault with his musket, and resist, and threaten to shoot said Corporal Knight, at the same time using profane and foul language. This on or about the night of the 24th of January, 1870, at Fort Ripley, Minn.

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st CHARGE—"Not Guilty."
 To the 1st CHARGE—"Not Guilty."
 To the *Specification*, 2d CHARGE—"Not Guilty."
 To the 2d CHARGE—"Not Guilty."
 To the *Specification*, 3d CHARGE—"Not Guilty."
 To the 3d CHARGE—"Not Guilty."
 To the 1st *Specification*, 4th CHARGE—"Not Guilty."
 To the 2d *Specification*, 4th CHARGE—"Not Guilty."
 To the 4th CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st CHARGE—"Guilty."
 Of the 1st CHARGE—"Guilty."
 Of the *Specification*, 2d CHARGE—"Guilty."
 Of the 2d CHARGE—"Guilty."
 Of the *Specification*, 3d CHARGE—"Guilty."
 Of the 3d CHARGE—"Guilty."
 Of the 1st *Specification*, 4th CHARGE—"Guilty."
 Of the 2d *Specification*, 4th CHARGE—"Guilty."
 Of the 4th CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor in charge of the guard, at the post where his Company is or may be serving, for the period of six (6) months, with a twenty-four pound ball attached to his left leg, by a chain three feet long, and to forfeit twelve dollars (\$12) of his monthly pay per month for the same period."

2d. Private *Harry Love*, Company "G," 20th Infantry.

CHARGE I.—"Drunkenness on duty, to the prejudice of good order and military discipline."

Specification.—In this, that Private *Harry Love*, Company "G," 20th Infantry, having been regularly detailed and mounted on guard, did become so much intoxicated as to render himself unfit and unable to properly perform his duties while on guard. This on or about the 23d day of January, 1870, at Fort Ripley, Minnesota.

CHARGE II.—"Disorderly conduct in quarters, to the prejudice of good order and military discipline."

Specification.—In this, that said Private *Harry Love*, Company "G," 20th Infantry, being intoxicated, did become so noisy, boisterous and disorderly in his Company quarters, to the prejudice of good order and military discipline, as to render it necessary to arrest and confine him in the guard-house. This on or about the 23d day of January, 1870, at Fort Ripley, Minnesota.

To which CHARGES and *Specification* the prisoner pleaded as follows:

To the *Specification*, 1st CHARGE—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States five dollars per month of his monthly pay for three months, and to be confined at hard labor, in charge of the guard, at the post where his Company is or may be serving, for the same period."

3d. Private *John Farrell*, Company "G," 20th Infantry.

CHARGE I.—"Drunkenness on duty, to the prejudice of good order and military discipline."

Specification.—In this, that Private *John Farrell*, Company "G," 20th Infantry, having been regularly detailed and mounted on guard, did become so much intoxicated as to render himself incapable of properly performing his duties as sentry. This on or about the 22d day of January, 1870, at Fort Ripley, Minnesota.

CHARGE II.—"Quitting his post while on guard, without being properly relieved."

Specification.—In this, that said Private *John Farrell*, Company "G," 20th Infantry, having been regularly detailed and mounted on guard, and posted as a sentinel at or about 5 o'clock P. M., did desert and leave his post without being properly relieved, and did remain away from his post until arrested at or near the guard-house, at a distance from his proper post, at or near 7 o'clock P. M. This on or about the 22d day of January, 1870, at Fort Ripley, Minnesota.

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d CHARGE—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st CHARGE—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d CHARGE—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor for three (3) months, at the post where his Company is or may be serving, and to forfeit to the United States ten dollars (\$10) per month of his monthly pay for the same period."

4th. Private *Edward Wells*, Company "G," 20th Infantry.

CHARGE.—"Drunkenness on duty, to the prejudice of good order and military discipline."

Specification.—In this, that Private *Edward Wells*, Company "G," 20th Infantry, having been regularly detailed and mounted on guard, did become so much intoxicated, that when called upon to take his post as sentinel, at about three quarters of an hour after ten o'clock P. M., he was totally unfit and unable to do so. This on or about the 22d day of January, 1870, at Fort Ripley, Minnesota.

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."
 To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."
 Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor in charge of the guard, at such place as his Company is or may be serving, for the period of three (3) months."

II..The proceedings and findings in the foregoing cases of Privates *Napoleon B. Land, Harry Love, John Farrell, and Edward Wells*, Company "G," 20th Infantry, are approved. The sentences are confirmed, and will be duly carried into execution.

III..The General Court Martial, which convened at Fort Ripley, Minn., by virtue of Special Orders No. 18, current series, from these Headquarters, and of which Brevet Brigadier General O. D. GREENE, Major, Adjutant General's Department, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Unassigned Recruit, *William Grover*, 22d Infantry.
 2. Private *Henry Frazier*, Company "D," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., MARCH 3, 1870.

GENERAL ORDERS, } No. 18. }

I. Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 200, series of 1869, from these Headquarters, and of which Brevet Colonel J. N. G. WHISTLER, Major 22d Infantry, is President, were arraigned and tried :

1st. Unassigned Recruit, *William Grover*, 22d Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification I.—In this, that *William Grover*, Unassigned Recruit, 22d Infantry, did conduct himself in a disorderly and improper manner, while on drill with a detachment of recruits. This at Fort Randall, D. T., on or about the 10th of January, 1870.

Specification II.—In this, that *William Grover*, Unassigned Recruit, 22d Infantry, did make use of the following foul and

abusive language to Lance 1st Sergeant Thomas Murphy, in the presence and hearing of a detachment of recruits, 22d Infantry—the said 1st Sergeant being in the execution of his office—to-wit: “*Go to hell, and*”——or words to that effect. This at Fort Randall, D. T., on or about the 10th day of January, 1870.

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—“Not Guilty.”

To the 2d *Specification*—“Guilty.”

To the CHARGE—“Guilty.”

FINDING.

Of the 1st *Specification*—“Guilty.”

Of the 2d *Specification*—“Guilty.”

Of the CHARGE—“Guilty.”

SENTENCE.

“*To forfeit ten dollars (\$10) of his monthly pay for three months, and to be confined at hard labor, under charge of the guard, for the same period.*”

2d. Private *Henry Frazier*, Company “D,” 22d Infantry.

CHARGE I.—“Absence without leave, to the prejudice of good order and military discipline.”

Specification.—In this, that he, *Henry Frazier*, Private of Company “D,” 22d Infantry, did absent himself from his detachment and quarters, without permission from proper authority. This at Whitstone, D. T., on or about the 16th day of January, 1870.

CHARGE II —“Disobedience of orders.”

Specification.—In this, that he, *Henry Frazier*, Private of Company "D," 22d Infantry, having been ordered by his immediate commander, Lieutenant S. O'Connor, U. S. A., not to, under any consideration whatever, leave his quarters after 8 o'clock P. M., did leave the same, and remained absent from the evening of January 16th, 1870, until the morning of January 17th, 1870. This at Whitstone, D. T., on or about the 16th day of January, 1870.

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st CHARGE—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d CHARGE—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*; 1st CHARGE—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d CHARGE—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) of his monthly pay for three months, and to be confined at hard labor, under charge of the guard, for the same period."

II..The proceedings and findings in the foregoing case of *William Grover*, Unassigned Recruit, 22d Infantry, are approved. The sentence is confirmed, and will be duly carried into execution.

In the case of Private *Henry Frazier*, Company "D," 22d Infantry, the proceedings, findings and sentence are approved, but in consideration of the prisoner's previous good character, and upon the recommendation of a majority of the members of

the court, and for the reasons therein stated, the sentence is remitted. He will be released from confinement and restored to duty.

III..The General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 200, series of 1869, from these Headquarters, and of which Brevet Colonel J. N. G. WHISTLER, Major 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Corporal *Jerry McLaughlin*, Company "G," 2d Cavalry.
 2. Private *James Hill*, Company "L," 2d Cavalry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., MARCH 11, 1870.

GENERAL ORDERS, } No. 19. }

I.. Before a General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders No. 200, series of 1869, from these Headquarters, and of which Brevet Colonel E. M. BAKER, Major 2d Cavalry, is President, were arraigned and tried :

1st. Corporal *Jerry McLaughlin*, Company "G," 2d Cavalry.

CHARGE I.—" Drunk on Guard."

Specification.—In this, that he, Corporal *Jerry McLaughlin*, Company "G," 2d U. S. Cavalry, having been duly detailed and mounted as Corporal of the Post Guard, was so drunk as to be incapable of performing his duty. All this at Fort Ellis, M. T., on or about the 10th day of November, 1869.

CHARGE II.—" Desertion."

Specification.—In this, that he, Corporal *Jerry McLaughlin*, Company "G," 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, after being placed in arrest and confined to his company quarters, by Captain Ed. Ball, 2d U. S. Cavalry, did, without permission, absent himself therefrom, and desert the military service of the United States, on or about the 12th day of November, 1869, and did remain absent until apprehended at Bozeman City, M. T., on the night of the 15th of November, 1869, by Corporals Smylie and Noonan, of Company "G," 2d U. S. Cavalry. This at or near Fort Ellis, M. T., on or about the dates above specified.

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st CHARGE—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d CHARGE—"Guilty," omitting the word "desert," and substituting therefor the word "from."

To the 2d CHARGE—"Not Guilty," but guilty of "*absence without leave.*"

FINDING.

Of the *Specification*, 1st CHARGE—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d CHARGE—"Guilty," except the word "desert," and substituting therefor the word "from."

Of the 2d CHARGE—"Not Guilty," but guilty of "*absence without leave.*"

SENTENCE.

"To be reduced to the rank of a private soldier; to forfeit to the United States ten dollars (\$10) of his monthly pay for the period of six (6) months, and to be confined at hard labor in charge of the guard, for the same period, (six months)."

2d. Private *James Hill*, Company "L," 2d Cavalry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification.—In this, that he, Private *James Hill*, of "L" Company, 2d Cavalry, did say, "You are a God damned son of a bitch," and use other abusive and insulting language, to Brevet Major Lewis Thompson, 2d Cavalry, Officer of the Day. This at Fort Ellis, M. T., on the 4th of December, 1869.

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) of his monthly pay, for the period of six (6) months, and be confined at hard labor in charge of the guard, wearing a twenty pound (20lb.) ball attached to his left leg, by a chain four (4) feet long, for the same period, (six months)."

II..The proceedings and findings in the foregoing cases of Corporal *Jerry McLaughlin*, Company "G," and Private *James Hill*, Company "L," 2d U. S. Cavalry, are approved. The sentences are confirmed, and will be duly carried into execution at the post where their companies may be serving.

III..The General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders No. 200, series

of 1869, from these Headquarters, and of which Brevet Colonel E. M. BAKER, Major 2d Cavalry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Jackson T. Shephard*, Company "E," 20th Infantry.
 2. Private *John Morgan*, Company "E," 20th Infantry.
 3. Private *Edward Levi*, Company "E," 20th Infantry.
 4. Private *Thomas O Toole*, Company "E," 20th Infantry.
 5. Private *Paul Sherwood*, Company "E," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., MARCH 14, 1870.

GENERAL ORDERS, } No. 20. }

I..Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 25, current series, from these Headquarters, and of which Brevet Major General GEORGE SYKES, Colonel 20th Infantry, is President, were arraigned and tried:

1st. Private *Jackson T. Shephard*, Company "E," 20th Infantry.

CHARGE.—" Violation of the 46th Article of War."

Specification.—In this, that Private *Jackson T. Shephard*, of Company "E," 20th Infantry, having been regularly posted as a sentinel over a Government storehouse, did leave

his post without having been relieved. This at Fort Snelling, Minn., on or about the night of January 19th, 1870.

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit twelve dollars (\$12) of his monthly pay per month, for three months."

2d. Private *John Morgan*, Company "E," 20th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—In this, that he, Private *John Morgan*, of Company "E," 20th Infantry, being a member of the guard, and duly posted as a sentinel on No. 1 Post, in front of the guard-house, did, while on post, permit James McCarty, a general prisoner, (confined in the guard-house, and undergoing sentence), to escape. All this at or near Fort Snelling, Minn., between Tattoo on the night of February 18th, 1870, and Reveille on the morning of February 19th, 1870.

To which CHARGE and *Specification* the prisoner pleaded as follows :

4th. Private *Thomas O'Toole*, Company "E," 20th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—In this, that he, Private *Thomas O'Toole*, of Company "E," 20th Infantry, being a member of the guard, and duly posted as a sentinel on No. 1 Post, in front of the guard-house, did, while on post, permit James McCarty, (a general prisoner confined in the guard-house, and undergoing sentence), to escape. All this at or near Fort Snelling, Minn., between Tattoo on the night of February 18th, 1870, and Reveille on the morning of February 19th, 1870.

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

5th. Private *Paul Sherwood*, Company "E," 20th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—In this, that he, Private *Paul Sherwood*, Company "E," 20th Infantry, being a member of the guard, duly mounted at Fort Snelling, Minn., was drunk and unfit to properly perform the duties of a sentinel. This on the 5th day of March, 1870, at the place specified.

To the *Specification*—"Not Guilty."
 To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*,—"Not Guilty."
 Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

3d. Private *Edward Levi*, Company "E," 20th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—In this, that he, Private *Edward Levi*, of Company "E," 20th Infantry, being a member of the guard, and duly posted as a sentinel on No. 1 Post, in front of the guard-house, did, while on post, permit James McCarty, (a general prisoner confined in the guard-house, and undergoing sentence), to escape. All this at or near Fort Snelling, Minn., between Tattoo on the night of February 18th, 1870, and Reveille on the morning of February 19th, 1870.

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*,—"Not Guilty."
 To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*,—"Not Guilty."
 Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

CHARGE II.—“Conduct to the prejudice of good order and military discipline.”

Specification I.—In this, that he, Private *Paul Sherwood*, Company “E,” 20th Infantry, did have in his possession a revolving pistol, contrary to existing orders in force in his Company and the Post. This at Fort Snelling, Minn., on or about the 5th day of March, 1870.

Specification II.—In this, that he, Private *Paul Sherwood*, Company “E,” 20th Infantry, while a member of the guard duly mounted, when ordered by the Sergeant of the Guard, Sergeant John McDonald, Company “E,” 20th Infantry, to make less noise in the guard-room, did draw a loaded revolving pistol and discharge the contents of one barrel thereof. This at Fort Snelling, Minn., on or about the 5th day of March, 1870.

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st CHARGE—“Not Guilty.”

To the 1st CHARGE—“Not Guilty.”

To the 1st *Specification*, 2d CHARGE—“Guilty,”—except the words—“*contrary to existing orders in force in his Company and the Post.*”

To the 2d *Specification*, 2d CHARGE—“Not Guilty.”

To the 2d CHARGE—“Not Guilty.”

FINDING.

Of the *Specification*, 1st CHARGE—“Guilty.”

Of the 1st CHARGE—“Guilty.”

Of the 1st *Specification*, 2d CHARGE—“Guilty.”

Of the 2d *Specification*, 2d CHARGE—“Not Guilty.”

Of the 2d CHARGE—“Guilty.”

SENTENCE.

"To forfeit ten dollars of his monthly pay for one month, and to be confined at hard labor in charge of the guard, for four months, the first fifteen days of which, to carry a knapsack weighing thirty pounds, from Reveille to Retreat, allowing half an hour for each meal."

II.. The proceedings, findings and sentence in the case of Private *Jackson T. Shephard*, Company "E," 20th Infantry, are approved. It is not considered a case calling for further leniency than that already shown by the Court, for the importance of a strict compliance with the provisions of Paragraph 413 of the Regulations cannot be over estimated. The sentence will therefore be duly carried into execution.

The proceedings, findings and acquittals in the cases of Privates *John Morgan*, *Edward Levi*, and *Thomas O'Toole*, Company "E," 20th Infantry, are approved. Orders have heretofore been issued for their release from confinement and restoration to duty.

The proceedings, findings and sentence in the case of Private *Paul Sherwood*, Company "E," 20th Infantry, are approved ; but, upon the recommendation of all of the members of the Court, and in consideration of the previous good character of the prisoner, the sentence is remitted. He will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL.

G. C. M.

Private *Thomas Fitzgerald*, Company "C," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., MARCH 23, 1870.

GENERAL ORDERS, } No. 21. }

I.. Before a General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders No. 18, Extract II., current series, from these Headquarters, and of which Brevet Colonel J. N. G. WHISTLER, Major 22d Infantry, is President, was arraigned and tried:

Private *Thomas Fitzgerald*, Company "C," 22d Infantry.

CHARGE I.—"Neglect of Duty."

Specification.—In this, that he, the said *Thomas Fitzgerald*, Private "C" Company, 22d U. S. Infantry, having been regularly detailed for fatigue duty, on the water wagon, did fail to perform said duty. This at Fort Randall, D. T., on or about the 1st day of February, 1870.

CHARGE II.—"Violation of the 47th Article of War."

Specification.—In this, that he, the said *Thomas Fitzgerald*, Private "C" Company, 22d U. S. Infantry, having been

regularly detailed on fatigue duty, on the water wagon, did hire to perform said duty. Private John Kleman, "C" Company, 22d U. S. Infantry. This at Fort Randall, D. T., on or about the 1st day of February, 1870.

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification.—In this, that he, the said *Thomas Fitzgerald*, "C" Company, 22d U. S. Infantry, did become so intoxicated, on the night of the 1st day of February, 1870, as to unfit him to perform the duties of a soldier, and upon being ordered by 1st Sergeant Morgan L. Wright, "C" Company, 22d Infantry, to remain in his quarters—he, the said 1st Sergeant M. L. Wright, being in the execution of his office—did refuse, and did reply in the following words, to wit: "*I will not do it*," or words to that effect. This at Fort Randall, D. T., on the night of the 1st day of February, 1870.

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

Of the *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States fifteen dollars (\$15), of his monthly pay, for three months, and to be confined at hard labor, under charge of the guard, for the same period."

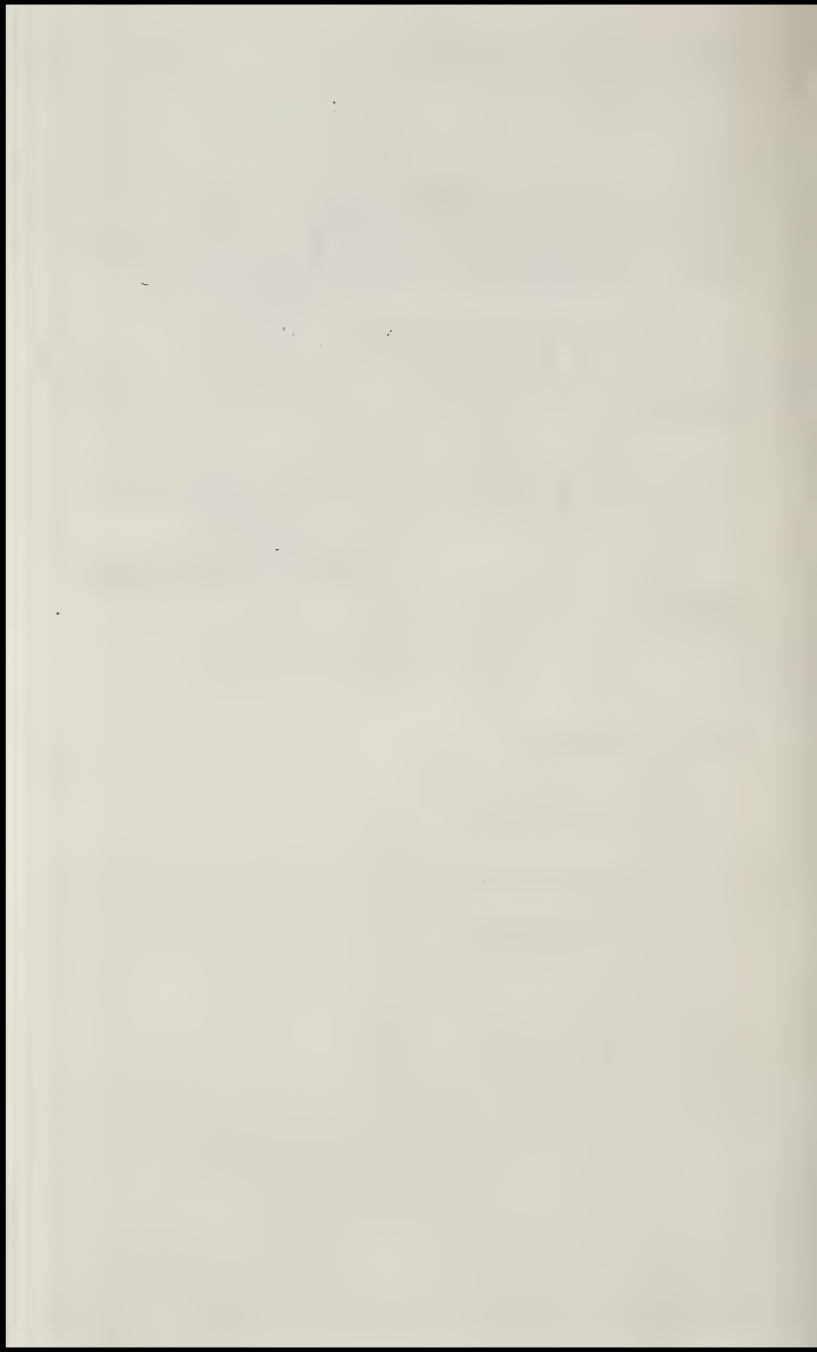
II..The proceedings and findings in the foregoing case, are approved. The sentence is confirmed, and will be duly carried into execution, at the post where the prisoner's Company may be serving.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *George Bainbridge*, Company "A," 13th Infantry.
 2. Private *Charles Mooney*, Company "A," 13th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., MARCH 25, 1870.

GENERAL ORDERS, } No. 22. }

I.. Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 18, Extract III, current series, from these Headquarters, and of which Brevet Brig. General P. R. DE TROBRIAND, Colonel 13th Infantry, is President, were arraigned and tried :

1st. Private *George Bainbridge*, Company "A," 13th Infantry.

CHARGE—"Drunkenness on Duty."

Specification —"In this, that he, Private *George Bainbridge*, Company "A," 13th Infantry, did, while on duty as a sentinel at the post near the trader's store, become so much under the influence of intoxicating liquor, as to be entirely unable to perform his duty. All this at Fort Shaw, M. T., on or about January 13th, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under the charge of the guard, for a period of six (6) months."

2d. Private Charles Mooney, Company "A," 13th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this, that he, Private Charles Mooney, Company "A," 13th Infantry, did absent himself from his Company and post without authority, on the night of the 7th, or morning of the 8th of January, 1870, and did remain absent therefrom until the evening of the 10th of January, 1870. This at Fort Shaw, M. T."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification —"In this, that he, Private Charles Mooney, Company "A," 13th Infantry, did absent himself without proper authority, from his Company and post, and did take with him without authority, one Springfield rifled musket, (model of 1866,) and did fail to return said musket to his Company on his return, and did wholly fail to account for said gun. All this at Fort Shaw, M. T., on or about January 8th, 1870."

CHARGE III.—“Losing his arms, in violation of the 38th article of war.”

Specification.—“In this, that he, Private *Charles Mooney*, Company “A,” 13th Infantry, did absent himself without authority from his Company and post, on or about the night of the 7th, or morning of the 8th of January, 1870, and did take with him, and lose, and fail to account for, his Springfield rifled musket, (model of 1866,) the property of the United States, and of the value of \$16.56. All this at Fort Shaw, M. T.”

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—“Guilty.”

To the 1st CHARGE—“Guilty.”

To the *Specification*, 2d Charge—“Not Guilty.”

To the 2d CHARGE—“Not Guilty.”

To the *Specification*, 3d Charge—“Not Guilty.”

To the 3d CHARGE—“Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“Guilty.”

Of the 1st CHARGE—“Guilty.”

Of the *Specification*, 2d Charge—“Guilty.”

Of the 2d CHARGE—“Guilty.”

Of the *Specification*, 3d Charge—“Guilty.”

Of the 3d CHARGE—“Guilty.”

SENTENCE.

“To forfeit to the United States ten dollars (\$10) per month of his monthly pay, for the period of three months, and to be confined at hard labor, in charge of the guard, for a period of thirty (30) days.”

II..The proceedings and findings in the foregoing cases of Privates *George Bainbridge* and *Charles Mooney*, Company "A," 13th Infantry, are approved. The sentences are confirmed, and will be duly carried into execution, at the posts where their companies may be serving.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., MARCH 31, 1870.

GENERAL ORDERS, }
No. 23.

After this date, Camp Cooke, M. T., will not be recognized or considered as a military post. The detachment of one commissioned officer and twenty-five (25) men, of Company "B," 13th Infantry, now at that station, will remain in charge of the public property as heretofore directed, until further orders, and will be reported on the Post returns of Fort Benton, as "on detached duty."

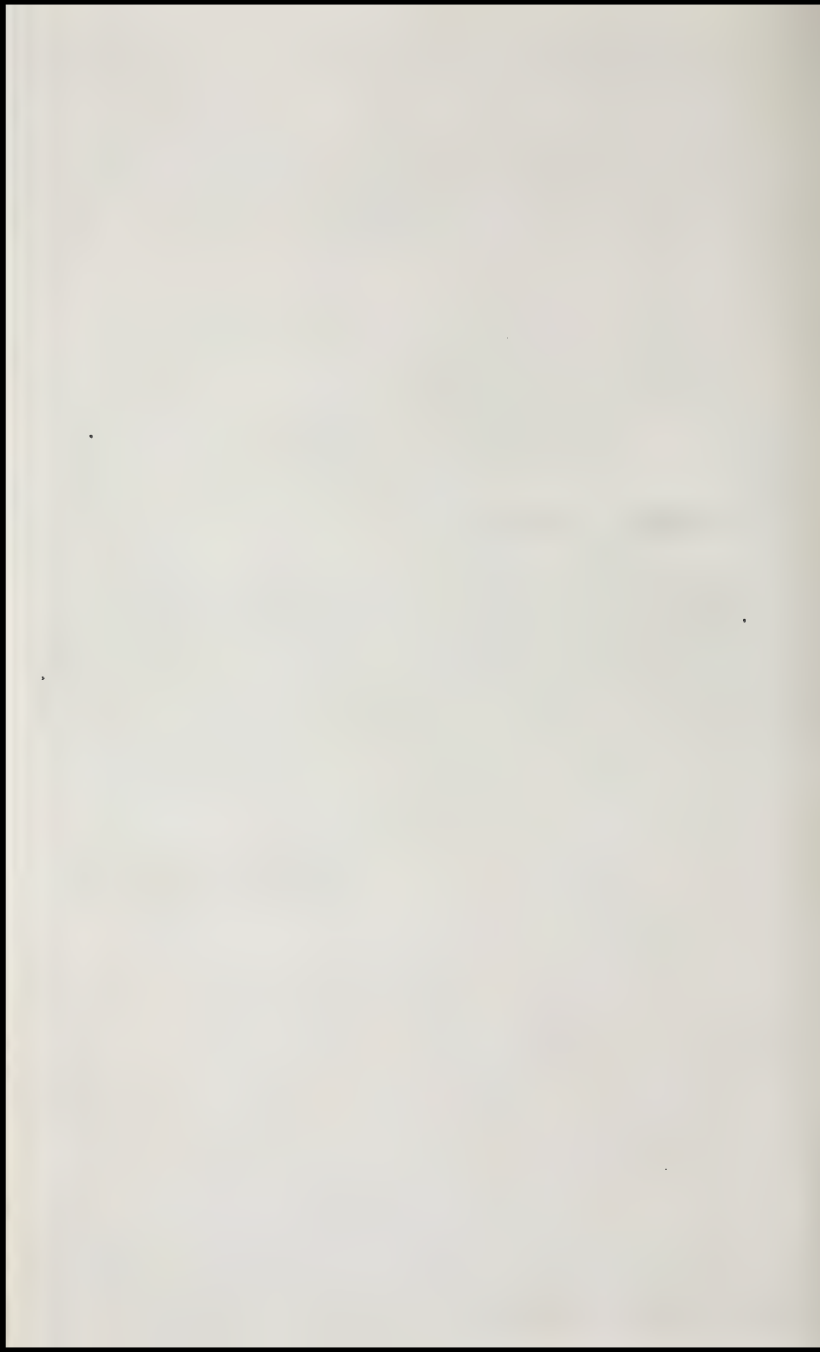
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

John D. Hancock
Capt. & Co. 16



G. C. M.

Captain *O. O. G. Robinson*, 2d U. S. Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., APRIL 1, 1870.

SPECIAL ORDERS, }
No. 24. }

I.—Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders, No. 8, Extract II, current series, from these Headquarters, and of which Brevet Brigadier General P. R. DE TROBRIAND, Colonel 13th Infantry, is President, was arraigned and tried.

Captain *O. O. G. Robinson*, 2d U. S. Cavalry.

CHARGE I.—“Disobedience of orders, in violation of the 9th Article of War.”

Specification I.—“In this, that he, Captain *O. O. G. Robinson*, 2d U. S. Cavalry, did direct and cause to be placed in his company wagon, certain blankets belonging to the men of his Company, in violation of the lawful order of his superior and commanding officer, Captain E. W. Clift, 13th Infantry, issued on the 20th day of July, 1869. This, on or about the 1st day of August, 1869, while on the march for the mouth of the Mussel Shell River.”

Specification II.—"In this, that he, Captain *O. O. G. Robinson*, 2d U. S. Cavalry, having been, on or about the 3d day of August, 1869, sent for by his superior and commanding officer, Captain *E. W. Clift*, 13th Infantry, and cautioned against the violation of his (Capt. Clift's) order, that no blankets shall be carried in the wagons of the command, did, in violation of said order, direct that the blankets belonging to the men of his Company, be placed in the Company wagon. This, on or about the 4th day of August, 1869, while on the march for the mouth of the Mussel Shell River."

CHARGE II.—"Conduct unbecoming an officer and a gentleman."

Specification I.—"In that Captain *O. O. G. Robinson*, 2d U. S. Cavalry, had certain blankets belonging to the men of his Company, "F," 2d Cavalry, put into his company wagon, on or about the 1st day of August, 1869, and when asked by his commanding officer, Captain *E. W. Clift*, 13th U. S. Infantry, by what authority said blankets were put into said wagon, did reply as follows: "I do not know, but I suppose the Sergeant must have had them put in without my knowledge," or words to that effect, which reply was a direct falsehood, as he Captain *O. O. G. Robinson*, well knew, that he himself had had the said blankets put into the said wagon. This, while in the field en route for the mouth of the Mussel Shell River, on or about the 1st and 4th days of August, 1869."

Specification II.—"In that Captain *O. O. G. Robinson*, 2d U. S. Cavalry, did attempt to shield himself from the blame or displeasure of his commanding officer, Captain *E. W. Clift*, 13th U. S. Infantry, for not having complied with his, the said commanding officer's known wishes, by telling him, the said commanding officer, that he supposed that his Sergeant must have had certain blankets put into his company wagon without his knowl-

edge, or words to that effect, when he, Captain *O. O. G. Robinson*, well knew that he himself had had the said blankets put into the said wagon. This, while in the field, en route for mouth of Mussel Shell River, on or about the 1st and 4th days of August, 1869."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the 1st *Specification*, 1st Charge—"Not Guilty."

To the 2d *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Not Guilty."

Of the 2d *Specification*, 1st Charge—"Not Guilty."

Of the 1st CHARGE—"Not Guilty."

Of the 1st *Specification*, 2d Charge—"Not Guilty."

Of the 2d *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

And the Court does therefore *acquit him*, Captain *O. O. G. Robinson*, 2d U. S. Cavalry.

II.—In view of the conflicting nature of the evidence adduced upon the trial of Captain *Robinson*, and the doubt attaching to the testimony of a material witness for the prosecution, on account of contradictory statements previously made by him, the court has properly acquitted the accused, of the particular charges and specifications upon which he has been tried. The fact, however, was established, that the blankets of enlisted men of Captain *Robinson's* Company, were loaded upon the Company wagon, contrary to the orders of the com-

manding officer of the expedition—it being submitted in defence that it was done without the knowledge of the Company Commander.

The Major General Commanding, cannot allow this to pass unnoticed. Every Company Commander is responsible to those to whom he owes obedience, for the execution of their orders, as far as they may relate to himself and those under his command. It is his duty—not only not to interfere with the execution of such orders—but to see that they are executed, and a failure to do so is a manifest neglect of duty. The court has acquitted Captain *Robinson* of a willful disobedience of orders, but the fact remains that the orders of the commanding officer of the expedition were not complied with by the Company, of which Captain *Robinson* was in command. The evidence before the court discloses nothing, in the opinion of the Major General Commanding, exculpatory of such neglect.

The proceedings and findings are approved. Captain *Robinson* has been directed to resume his sword and return to duty.

III.—The General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 8, Extract II., current series, from these Headquarters, and of which Brevet Brigadier General P. R. DE TROBRIAND, Colonel 13th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

James H. Robinson
Capt & Co. 13th Inf.

G. C. M.

1. Private *David W. Davis*, Company "G," 20th Infantry.
 2. Private *David O'Hayer*, Company "E," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., APRIL 14, 1870.

GENERAL ORDERS, } No. 25. }

I.—Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 25, current series, from these Headquarters, and of which Brevet Major General GEORGE SYKES, Colonel 20th Infantry, is President, were arraigned and tried :

1st. Private *David W. Davis*, Company "G," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *David W. Davis*, Company "G," 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Snelling, Minn., on or about the 17th day of March, 1870, and did remain absent therefrom until apprehended at Minneapolis, Minn., on or about March 23d, 1870. This at the time and place specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty," except the words "*did desert*," substituting therefor the words, "*did absent himself from*."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty," except the word "*desert*," substituting therefor the words, "*absent himself from*."

Of the CHARGE—"Not Guilty," but guilty of "*absence without leave*."

SENTENCE.

"To forfeit to the United States fifteen dollars of his monthly pay, for one month, and to carry a knapsack weighing thirty pounds, from reveille until retreat, for fifteen days, in charge of the guard, allowing thirty minutes for each meal."

2d. Private *David O'Hayer*, Company "E," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *David O'Hayer*, Company "E," 20th United States Infantry, a soldier duly enlisted into the service of the United States, did desert the same on or about the 16th day of March, 1870, and did remain absent from his Company and Regiment, until apprehended at or near Minneapolis, Minn., on or about the 23d day of March, 1870. All this at or near Fort Snelling and Minneapolis, Minn., on or about the dates above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty," except the word "*desert*," substituting therefor the words, "*absent himself from*."

Of the CHARGE—"Not Guilty," but guilty of "*absence without leave.*"

SENTENCE.

"To forfeit to the United States fifteen dollars of his monthly pay for one month, and to carry a knapsack weighing thirty pounds, from reveille until retreat, for fifteen days, in charge of the guard, allowing thirty minutes for each meal."

II.—The proceedings and findings in the foregoing cases of Privates *David W. Davis*, Company "G," and *David O'Hayer*, Company "E," 20th Infantry, are approved. The sentences are approved and will be duly carried into execution.

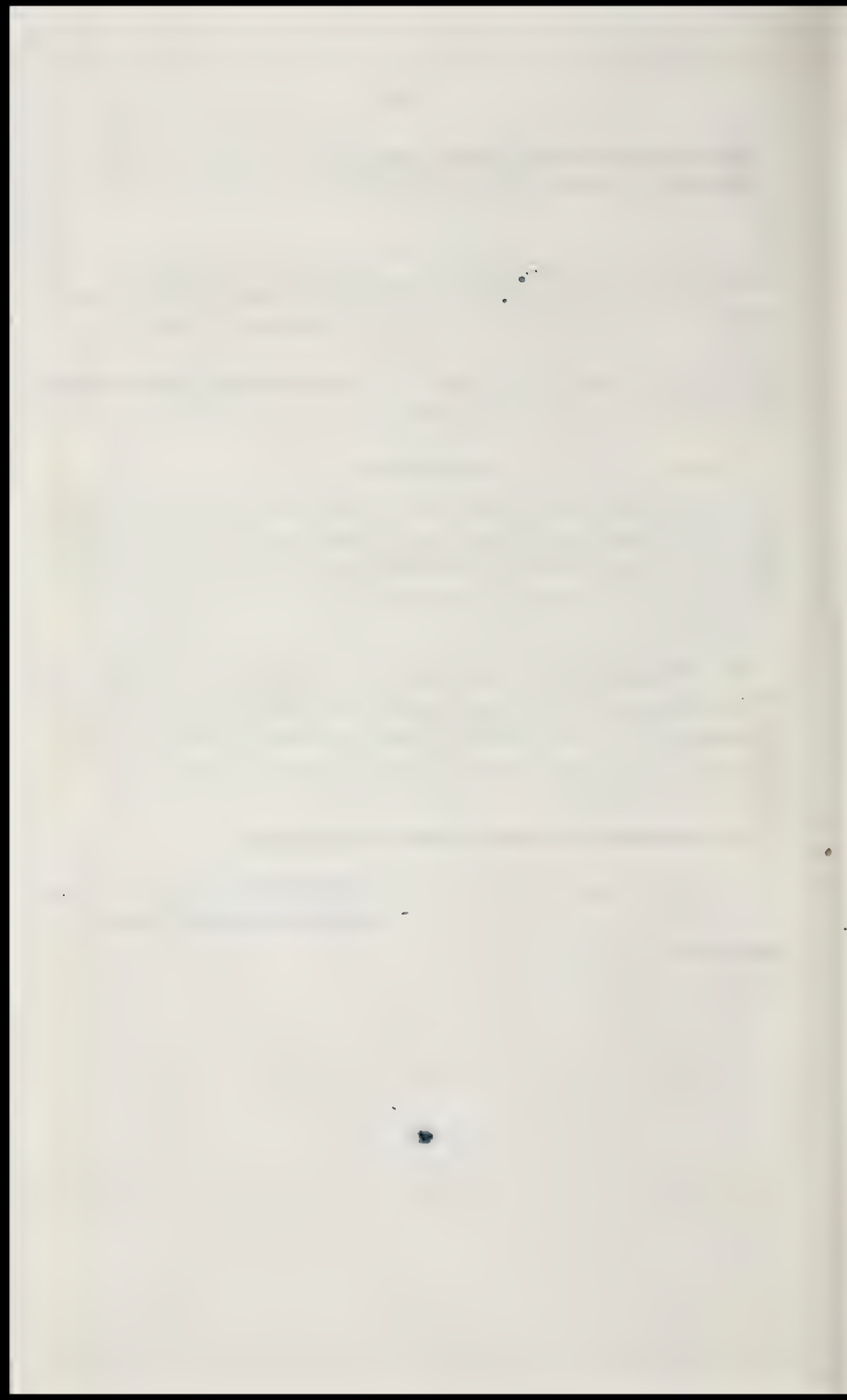
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

John J. Brown
1874



G. C. M.

1. Private *John McCarty*, Company "A," 13th Infantry.
 2. Private *George Williams*, Company "A," 13th Infantry.
 3. Private *Michael Moore*, Company "A," 13th Infantry.
 4. Private *James Minehon*, Company "F," 13th Infantry.
 5. Sergeant *Charles Smith*, Company "F," 13th Infantry.
 6. Private *Samuel G. Winchester*, Company "A," 13th Inf'y.
 7. Private *John McCarty*, Company "A," 13th Infantry.
 8. Private *Thomas Elliott*, Company "K," 13th Infantry.
 9. Private *John Roberts*, Company "K," 13th Infantry.
 10. Private *Joseph A. Harman*, Company "A," 13th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., APRIL 20, 1870.

GENERAL ORDERS, { No. 26. }

I... Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders, No. 18, Extract III, current series, from these Headquarters, and of which Brevet Brigadier General P. R. DE TROBRIAND, Colonel 13th Infantry, is President, were arraigned and tried :

1st. Private *John McCarty*, Company "A," 13th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John McCarty*, Company "A," 13th Infantry, did, while a prisoner under charge of the guard, assault and strike violently upon the head, Corporal Hushet, Company "I," 13th Infantry, who was at the time Corporal of the guard, and in performance of his duties. All this at Fort Shaw, M. T., on or about January 13th, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquitt him*.

24. Private *George Williams*, Company "A," 13th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *George Williams*, Company "A," 13th Infantry, did strike, and thereby knock down Corporal Hushet, Company "I," 13th Infantry, the said Corporal being at the time on guard, and in the performance of his duties. All this at Fort Shaw, M. T., on or about January 13th, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, for a period of six (6) months," and to forfeit to the United States all his pay and allowances for the same period."

3d. Private *Michael Moore*, Company "A," 13th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Michael Moore*, Company "A," 13th Infantry, did make an unprovoked, malicious and dangerous attack upon Private John Hanley, Company "I," 13th Infantry; striking him with his fist, knocking him down, and then kicking him, saying at the same time, "*You are the little son of a bitch that would not let the bottle of whiskey be passed into the prison room, when you were on post.*" All this at Fort Shaw, M. T., on the 3d day of February, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

4th. Private *James Minchon*, Company "F," 13th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *James Minchon*, Company "F," 13th Infantry, being a member of the guard, regularly mounted at Fort Shaw, M. T., on the 8th of February, 1870, and being in charge of convict prisoner William H. Chapman, did permit said prisoner to go so far away from him as to give said prisoner an opportunity to escape; and did permit said prisoner to run away and escape. This at or near Fort Shaw, M. T., on or about the 9th day of February, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor under charge of the guard, for a period of three months, and to forfeit to the United States fifteen dollars (\$15.00) per month of his monthly pay for the same period."

5th. Sergeant *Charles Smith*, Company "F," 13th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this, that he, Sergeant *Charles Smith*, Company "F," 13th Infantry, being Sergeant of the post guard, duly detailed and mounted, was drunk, and in consequence thereof was unable properly to perform his duty. All this at Fort Shaw, M. T., on or about the 7th day of February, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks as a private soldier; and to be confined at hard labor under charge of the guard, for a period of five (5) months."

6th. Private *Samuel G. Winchester*, Company "A," 13th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this that he, Private *Samuel G. Winchester*, Company "A," 13th Infantry, did forge, or cause to be forged, the name of his Company Commander as approving a sutler's order, and did present the order at the trader's store, and receive therefor values, knowing that the name of R. A. Torrey, put down as Captain 13th Infantry, commanding Company "A," and approving the order, was a forgery. This at Fort Shaw, M. T., on or about the 10th day of February, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged from the service of the United States, and to be confined at hard labor for the period of one year, at such prison as the Department Commander may direct."

7th. Private *John McCarty*. Company "A," 13th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John McCarty*, Company "A," 13th Infantry, did assault and rob, or did aid in, assist or abet the attack upon and severe treatment and robbery of private *Thomas Cushing*, Company "A," 13th Infantry, in the post guard-house at Fort Shaw, M. T., the said *Cushing* having been robbed of the sum of \$20.00, more or less, at the time referred to. This at Fort Shaw, M. T., on or about January 13th, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty," except the words, "*did assault Private Thomas Cushing, Company "A," 13th Infantry, at Fort Shaw, M. T., January 13th, 1870, and of these words, "Guilty."*"

Of the CHARGE—"Guilty."

SENTENCE.

"*To be confined at hard labor, under charge of the guard, for one month.*"

8th. Private *Thomas Elliott*, Company "K," 13th Infantry.

CHARGE.—"Desertion."

Specification.—"That Private *Thomas Elliott*, Company "K," 13th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 14th day of February, 1870, and did remain absent, until apprehended at Buttermilk Rancho, M. T., on the 16th of February, 1870. This at Fort Shaw, M. T., on or about the 14th day of February, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"*To forfeit to the United States all pay that is due, or may be*

come due ; to be dishonorably discharged the service of the United States, and on the promulgation of this sentence, to be indelibly marked on the left hip with the letter "D," and to be confined for three years at such military prison as the Department Commander may direct."

9th. Private *John Roberts*, Company "K," 13th Infantry.

CHARGE—"Desertion."

Specification.—"That Private *John Roberts*, Company "K," 13th Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 14th day of February, 1870, and did remain absent until apprehended at Buttermilk Rancho, M. T., on the 16th day of February, 1870. This at Fort Shaw, M. T., on or about the 14th day of February, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay that is due, or that may become due ; to be dishonorably discharged the service of the United States, and on the promulgation of this sentence, to be indelibly marked on the left hip with the letter "D," and to be confined for three years at such military prison as the Department Commander may direct."

10th. Private *Joseph A. Harman*, Company "A," 13th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, Private *Joseph A. Harman*, Company "A," 13th Infantry, did attempt to surreptitiously furnish intoxicating liquor to certain prisoners confined in the post guard-house, by having a bottle of whiskey concealed in the soup prepared for the men of Company "A," 13th Infantry, who were confined in said guard house, and attempting to deliver the same to said prisoners. All this at Fort Shaw, M. T., on or about the 21st day of February, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

II...The proceedings and findings in the foregoing cases of Privates *George Williams*, Company "A," *James Minehon*, Company "F," and *John McCarty*, Company "A," 13th Infantry, are approved. The sentences are approved, and will be duly carried into execution.

The proceedings, findings and acquittal in the cases of Privates *John McCarty*, *Michael Moore* and *Joseph A. Harman*, Company "A," 13th Infantry, are approved. They will be released from confinement and returned to duty.

The proceedings, findings and sentence in the case of Sergeant *Charles Smith*, Company "F," 13th Infantry, are approved, but upon the recommendation of a majority of the members of the Court, and in consideration of the uniform good character of the accused, as shown in the testimony in his case, the sentence is remitted. He will be released from arrest and restored to duty.

The proceedings and findings in the case of Private *Samuel G. Winchester*, Company "A," 13th Infantry, are approved. The sentence is confirmed and will be duly executed. The Minnesota State Penitentiary, at Stillwater, is designated as the place of confinement of the prisoner, where he will be sent under a suitable guard, via Fort Benton, the Missouri river and Sioux City.

The proceedings and findings in the cases of Privates *Thomas Elliott* and *John Roberts*, Company "K," 13th Infantry, are approved. So much of the sentences as relates to indelibly marking the prisoners with the letter "D," on the left hip, is disapproved. The remainder of the sentence is approved, and will be duly executed. Fort Shaw, M. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

R. CHANDLER,

Acting Assistant Adjutant General.

OFFICIAL.

John S. Wharton
Capt. + a. & c.

G. C. M.

Musician *Michael Kelly*, Company "H," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., APRIL 21, 1870.

GENERAL ORDERS, } No. 27. }

I.—Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders, No. 204, Extract IV, series of 1869, from these Headquarters, and of which Brevet Major FRANCIS CLARKE, Captain 22d Infantry, is President, was arraigned and tried :

Musician *Michael Kelly*, Company "H," 22d Infantry.

CHARGE I—"Conduct to the prejudice of good order and military discipline. (Violation of 99th Article of War.)"

Specification I.—"In this, that Musician *Michael Kelly*, Company "H," 22d Infantry, was drunk and disorderly in his Company quarters, and did, without provocation, strike Private William Madden, of "H" Company, 22d Infantry, knocking him down. This at Fort Sully, D. T., on or about the 5th day of December, 1869."

Specification II.—"In this, that Musician *Michael Kelly*, Company "H," 22d Infantry, while under the influence of liquor, did go into the mess hall of his Company and

abuse the cook, Private Dennis Donovan, Company "H," 22d Infantry, taking a butcher knife and holding it over him in a threatening manner, saying, '*You son of a bitch, I have a notion to kill you,*' or words to that effect. This at Fort Sully, D. T., on or about the 5th day of December, 1869."

Specification III.—"In this, that Musician *Michael Kelly*, Company "H," 22d Infantry, after having been ordered out of the mess hall by Quartermaster Sergeant Samuel Haymaker, Company "H," 22d Infantry, did return to the cook-house, and picked up an axe and held it up to the face of the cook, Private Dennis Donovan, Company "H," 22d Infantry, saying to him, '*You old son of a bitch, I am going to kill you,*' or words to that effect. This at Fort Sully, D. T., on or about the 5th day of December, 1869."

Specification IV.—"In this, that Musician *Michael Kelly*, Company "H," 22d Infantry, when ordered out of the Company cook-house by Quartermaster Sergeant Samuel Haymaker, did reply, '*I can whip any son-of-a-bitch in the Company, and you had better be careful,*' or words to that effect. This at Fort Sully, D. T., on or about the 5th day of December, 1869."

CHARGE II.—"Violation of the 6th Article of War."

Specification.—"In this, that Musician *Michael Kelly*, Company "H," 22d Infantry, on being ordered out of his quarters, to the guard-house, by his Company Commander, 1st Lieutenant L. E. Campbell, 22d Infantry, did reply, '*Damn you, if I had a sword you would not draw your sword on me,*' or words to that effect. This at Fort Sully, D. T., on or about the 5th day of December, 1869."

To which CHARGES and *Specifications* the accused pleaded as follows :

"To the 1st *Specification*, 1st Charge—"Not Guilty."
 "To the 2d *Specification*, 1st Charge—"Not Guilty."
 "To the 3d *Specification*, 1st Charge—"Not Guilty."
 "To the 4th *Specification*, 1st Charge—"Not Guilty."
 "To the 1st CHARGE—"Not Guilty."
 "To the *Specification*, 2d Charge—"Not Guilty."
 "To the 2d CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty," excepting
 the words, "*knocking him down.*"
 Of the 2d *Specification*, 1st Charge—"Guilty," substituting
 the word "*kitchen*" for "*mess hall.*"
 Of the 3d *Specification*, 1st Charge—"Guilty."
 Of the 4th *Specification*, 1st Charge—"Guilty."
 Of the 1st CHARGE—"Guilty."
 Of the *Specification*, 2d Charge—"Guilty."
 Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor until December 3d, 1870, at
 which time his term of service expires; to forfeit to the United
 States all pay that may become due him after the promulgation of
 his sentence, and be dishonorably discharged from the service of the
 United States."

II.—The proceedings and findings in the foregoing case,
 are approved. The sentence is confirmed, and will be duly
 carried into execution at the post where his Company may be
 serving.

III.—The General Court Martial, which convened at Fort
 Sully, D. T., by virtue of Special Orders, No. 204, Extract
 IV, series of 1869, from these Headquarters, and of which

Brevet Major FRANCIS CLARKE, Captain 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *James Hughes*, Company "D," 13th Infantry.
 2. Acting Corporal *James Butler*, Company "D," 13th Inf'y.
 3. Private *Charles Carroll*, Company "D," 13th Infantry.
 4. Private *Charles Bray*, Company "D," 13th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., APRIL 28, 1870.

GENERAL ORDERS, } No. 28. }

I... Before a General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders, No. 18, current series, from these Headquarters, and of which Surgeon PHILIP C. DAVIS, U. S. Army, is President, were arraigned and tried:

1st. Private *James Hughes*, Company "D," 13th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In, that Private *James Hughes*, Company "D," 13th Infantry, did feloniously take, steal and carry away, with the intention of appropriating to his own use, from the barracks of Company "L," 2d Cavalry, one box containing one hair-brush and other articles unknown, said box and contents belonging to some member of Company "L," 2d Cavalry, name unknown. This at Fort Ellis, M. T., on or about the 24th day of January, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States five (5) dollars of his monthly pay, for one month."

2d. Acting Corporal *James Butler*, Company "D," 13th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In, that acting Corporal *James Butler*, Company "D," 13th Infantry, did, without permission from proper authority, absent himself from Retreat roll call of his Company, and did visit the so-called "Half-Way House," distant one and a half miles from this post. This at or near Fort Ellis, M. T., on or about the 23d day of January, 1870."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In, that acting Corporal *James Butler*, Company "D," 13th Infantry, while drunk, did behave in a disorderly manner in his Company quarters and orderly room, and did, without provocation, strike acting Corporal Stephen Adams, Company "D," 13th Infantry, in Company "D" orderly room, and knock him down. This

at Fort Ellis, M. T., on or about the 23d day of January, 1870."

Specification 11.—"In, that acting Corporal *James Butler*, Company "D," 13th Infantry, did use disrespectful language to 1st Sergeant *Gottleib Esali*, Company "D," 13th Infantry, and when he, the said 1st Sergeant *Esali*, ordered the said acting Corporal *Butler* to leave the orderly room, did then and there strike the said 1st Sergeant *Esali*, his superior non-commissioned officer, in the face, (he being in the execution of his duty,) and called him '*a damned son-of-a-bitch*,' or words to that effect. This at Fort Ellis, M. T., on or about the 23d day of January, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now or may become due him up to the date of the promulgation of this sentence; to be confined at hard labor, under charge of the guard, for twelve (12) months, wearing a twenty-five (25) pound ball attached to his left leg, by a chain three (3) feet long, and to

forfeit to the United States twelve dollars (\$12) per month of his monthly pay for twelve (12) months."

3d. Private *Charles Carroll*, Company "D," 13th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In, that Private *Charles Carroll*, Company "D," 13th Infantry, was intoxicated, and did behave in a disorderly and unsoldierly-like manner. This in "D" Company quarters, at Fort Ellis, M. T., on or about the 24th day of December, 1869."

Specification II.—"In, that Private *Charles Carroll*, Company "D," 13th Infantry, did speak of Michael Walsh, an unassigned recruit, and acting non-commissioned officer, in Company "D," 13th Infantry, in the following disrespectful manner, viz: That said Michael Walsh was a '*damned bloody son-of-a-bitch*,' or words to that effect. This in Company "D" quarters, at Fort Ellis, M. T., on or about the 24th day of December, 1869."

CHARGE II.—"Mutinous conduct, to the prejudice of good order and military discipline."

Specification I.—"In, that Private *Charles Carroll*, Company "D," 13th Infantry, did, when ordered by Michael Walsh, an unassigned recruit, and acting non-commissioned officer, in Company "D," 13th Infantry, to come with him, (Michael Walsh,) to the post guard-house, refuse to obey said order, and did say, '*You damned son-of-a-bitch, you can't take me to the guard-house*,' or words to that effect. This in "D" Company quarters, at Fort Ellis, M. T., on or about the 24th day of December, 1869."

Specification II.—"In, that Private *Charles Carroll*, Company "D," 13th Infantry, did, when ordered by Michael Walsh, an unassigned recruit, and acting non commissioned officer of Company "D," 13th Infantry, to come with him, (Michael Walsh,) to the post guard house, refuse to obey said order, and did fall upon and kick said Michael Walsh, he being in the execution of his duty. This in "D" Company quarters, at Fort Ellis, M. T., on or about the 24th day of December, 1869."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the 1st *Specification*, 1st Charge—"Guilty."

To the 2d *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the 1st *Specification*, 2d Charge—"Guilty."

To the 2d *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States twelve dollars (\$12) per month of his monthly pay for six months."

4th. Private *Charles Bray*, Company "D," 13th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In, that Private *Charles Bray*, Company "D," 13th Infantry, was intoxicated, and did behave in a disorderly and unsoldier-like manner. This in "D" Company quarters, at Fort Ellis, M. T., on or about the 24th day of December, 1869."

CHARGE II.—"Mutinous conduct, to the prejudice of good order and military discipline."

Specification 1.—"In, that Private *Charles Bray*, Company "D," 13th Infantry, did use threatening language towards Michael Walsh, an unassigned recruit, and acting non-commissioned officer of Company "D," 13th Infantry, while in the execution of his duty, in order to hinder him therefrom. This in "D" Company quarters, at Fort Ellis, M. T., on or about the 24th day of December, 1869."

Specification II.—"In, that Private *Charles Bray*, Company "D," 13th Infantry, did, when Michael Walsh, an unassigned recruit, and acting non-commissioned officer in Company "D," 13th Infantry, did order Private Charles Carroll, Company "D," 13th Infantry, to come to the post guard-house, interfere, and say to said Michael Walsh, '*If you hit him, (Carroll,) or attempt to take him to the guard-house, I will strike you.*' or words to that effect. This in "D" Company quarters, at Fort Ellis, M. T., on or about the 24th day of December, 1869."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty," except the words, "*and acting non-commissioned officer.*"

Of the 2d *Specification*, 2d Charge—"Guilty," except the words, "*and acting non-commissioned officer.*"

Of the 2d CHARGE—"Guilty," except the word, "*mutinous.*"

SENTENCE.

"To forfeit to the United States ten dollars (\$10) per month of his monthly pay, for the period of six (6) months."

II...The proceedings and findings in the case of Private *James Hughes*, Company "D," 13th Infantry, are approved. The sentence is disapproved, it not being commensurate with the crime of theft, to which the accused pleaded guilty. The record shows that "the Court is thus lenient on account of the extreme youth and inexperience of the accused, and believing that no deliberate theft was intended;" but there is no evidence recorded to show upon what the above action and belief of the Court was based. Private *Hughes* will be released from confinement and restored to duty.

The proceedings and findings in the foregoing cases of Acting Corporal *James Butler*, Privates *Charles Carroll* and *Charles Bray*, Company "D," 13th Infantry, are approved. The sentences are confirmed and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

R. CHANDLER,

Acting Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *Samuel Simmons*, Company "E," 20th Infantry.
 2. Private *Solomon S. Moore*, Company "E," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., MAY 2, 1870.

GENERAL ORDERS, { No. 29. }

I... Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders, No. 25, current series, from these Headquarters, and of which Brevet Major General GEORGE SYKES, Colonel 20th Infantry, is President, were arraigned and tried :

1st. Private *Samuel Simmons*, Company "E," 20th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that Private *Samuel Simmons*, Company "E," 20th Infantry, was drunk and disorderly in his Company quarters. This at Fort Snelling, Minn., on or about the 9th day of April, 1870."

Specification II.—"In this, that Private *Samuel Simmons*, Company "E," 20th Infantry, when ordered by Sergeant Samuel J. Williams, same Company, to be quiet, did re-

ply, ' *You are a damned bastard, and I won't keep quiet for you; I will go to the guard-house first;*' said Sergeant Williams being in the proper discharge of his duty. This at Fort Snelling, Minn, on or about the 9th day of April, 1870."

Specification III.—"In this, that he, Private Samuel Simmons, Company "E," 20th Infantry, whilst being taken to the guard-house by Sergeant Samuel J. Williams, same Company, did use abusive and insulting language to said Sergeant Williams, to wit: ' *You are a son-of-a-bitch,*' or words to that effect. This at Fort Snelling, Minn., on or about the 9th day of April, 1870."

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—"Guilty."

To the 2d *Specification*—"Not Guilty."

To the 3d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the 3d *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States fifteen dollars (\$15) of his monthly pay for one month, and to carry a knapsack weighing thirty pounds, from Reveille until Retreat, daily, in charge of the guard, for the same period, allowing thirty minutes for each meal."

2d. Private Solomon S. Moore, Company "E," 20th Infantry.

CHARGE.—“Conduct to the prejudice of good order and military discipline.”

Specification I.—“In this, that he, Private *Solomon S. Moore*, Company “E,” 20th Infantry, when ordered by Corporal Jean Weiner, same Company, to keep silence in the ranks, did fail to do so. This at Tattoo Roll Call, at Fort Snelling, Minn., April 8th, 1870.”

Specification II.—“In this, that he, Private *Solomon S. Moore*, Company “E,” 20th Infantry, whilst being taken to the guard-house, did resist and strike Corporal Jean Weiner, same Company, he, the said Corporal Weiner being at the time in the proper discharge of his duty. All this at or near Fort Snelling, Minn., on or about the 8th day of April, 1870.”

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—“Not Guilty.”

To the 2d *Specification*—“Not Guilty.”

To the CHARGE—“Not Guilty.”

FINDING.

Of the 1st *Specification*—“Not Guilty.”

Of the 2d *Specification*—“Not Guilty.”

Of the CHARGE—“Not Guilty.”

And the Court does therefore *acquit him*.

II...The proceedings and findings in the case of Private *Samuel Simmons*, Company “E,” 20th Infantry, are approved. The sentence is confirmed, and will be carried into execution.

(2.) The proceedings and findings in the case of Private *Solomon S. Moore*, Company "E," 20th Infantry, are approved. He will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

R. CHANDLER,

Acting Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

ST. PAUL, MINN., MAY 6, 1870.

GENERAL ORDERS. }
No 30. }

The following will hereafter be required by the Acting Post Signal Officers in this Department, under direction of their several Post Commanders: It is expected that all officers and competent enlisted men will gain such knowledge of practical signaling in the "General Service Code of Signals," that they may be able at any time to use the signal equipments issued to the posts, or improvise apparatus of their own, as occasion may require, and a stated signal detail will be kept in proper practice at every post.

After the receipt of this order, all practicable instruction will be given, without, however, interfering with other military duties.

The following named reports are required:

1. *A quarterly return of property*, (as heretofore), direct to the Chief Signal Officer of the Army.

2. A tabulated "*monthly record of officers (and men) instructed*," (as heretofore), to Chief Signal Officer of the Department.

3. *A monthly statement by letter*, to the Chief Signal Officer of the Department, showing "how official intercourse may have been facilitated, or from which any public benefit has been derived, or any profitable use of military signals with expeditions or scouting parties."

All applications for blank forms, returns, &c., will be made direct to the Chief Signal Officer of the Army.

Requisitions for signal property, approved by the Post Commander, will be forwarded direct to Department Headquarters.

Any orders heretofore issued that may conflict with the provisions of the above, are hereby rescinded.

BY COMMAND OF MAJOR GENERAL HANCOCK.

R. CHANDLER,

Acting Assistant Adjutant General



G. C. M.

Captain *Nathaniel S. Constable*, Assistant Quartermaster,
U. S. A.

HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., MAY 14, 1870.

GENERAL ORDERS, } No. 31. }

I... Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders, No. 50, current series, from these Headquarters, and of which Brevet Brigadier General P. R. DE TROBRIAND, Colonel 13th Infantry, is President, was arraigned and tried :

Captain *Nathaniel S. Constable*, Assistant Quartermaster,
U. S. A.

CHARGE I.—“Conduct unbecoming an officer and a gentleman.”

Specification I.—“In this, that Captain *Nathaniel S. Constable*, Assistant Quartermaster, U. S. A., Post Quartermaster, Fort Shaw, M. T., being authorized to open bids for a quantity of grain, on or about the 15th day of March, 1870, did have an understanding with one John Potter, a citizen of Helena, M. T., which is shown in part in words and figures, as follows :

‘HELENA, MONTANA, March 12th, 1870.

My Dear Constable :

I send by friend O. B. O'Bannon, 2d proposal as per

understanding before you left. If anything for grain is under 4 9-10, open this 2d proposal, and leave the 1st in the pigeon-hole. Remember what I said, I am indebted to you for money loaned me, \$1000.

Please write me after the proposals are opened.

Burn this.

Confidential.

Under the S— C— J. P.'

Which understanding is in violation of the laws and regulations, binding an officer of the Army. This at or near Helena, M. T., on or about the date above mentioned."

Specification II.—"In this, that Captain Nathaniel S. Constable, Assistant Quartermaster, U. S. A., Post Quartermaster, Fort Shaw, M. T., did have a corrupt and fraudulent understanding with one John Potter, a citizen of Helena, M. T., and bidder for a government contract, and in pursuance of said understanding was to substitute a bid after other bids had been opened, providing the first one of 4 9-10 was not the lowest received, and in case it was, to suppress the second bid of 4 $\frac{1}{4}$, thereby entailing a loss to the Government. This in defiance of the laws and regulations upon the subject of opening bids, and is set forth in word and figures as follows :

' HELENA, MONTANA, March 12th, 1870.

My Dear Constable :

I send by friend O. B. O'Bannon, 2d proposal as per understanding before you left. If anything for grain is under 4 9-10, open this 2d proposal and leave the 1st in the pigeon-hole. Remember what I said, I am indebted to you for money loaned me, \$1000.

Please write me after the proposals are opened.

Burn this.

Confidential.

Under the S— C— J. P.' "

CHARGE II.—“Conduct to the prejudice of good order and military discipline.”

Specification.—“In this, that Captain *Nathaniel S. Constable*, Assistant Quartermaster U. S. A., Post Quartermaster, Fort Shaw, M. T., was offered by one John Potter, a citizen of Helena, M. T., the sum of one thousand dollars (\$1000,) to influence him in the awarding of certain grain contracts which were to be opened at Fort Shaw, M. T., on the fifteenth day of March, 1870, by the said Captain *Nathaniel S. Constable*, Assistant Quartermaster, U. S. A., Post Quartermaster, Fort Shaw, M. T., and that the said Captain *Nathaniel S. Constable*, Assistant Quartermaster U. S. A., Post Quartermaster, Fort Shaw, well knowing that the sum was offered to him as a bribe to defraud the Government, did keep the fact secret, and did fail to report the same to his Commanding or any other officer until after he was placed in arrest. This at or near Helena, M. T., on or about the 10th day of March, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows:

To the 1st *Specification*, 1st Charge—“Not Guilty.”
 To the 2d *Specification*, 1st Charge—“Not Guilty.”
 To the 1st CHARGE—“Not Guilty.”
 To the *Specification*, 2d Charge—“Not Guilty.”
 To the 2d CHARGE—“Not Guilty.”

FINDING.

Of the 1st *Specification*, 1st Charge—“Not Guilty.”
 Of the 2d *Specification*, 1st Charge—“Not Guilty.”
 Of the 1st CHARGE—“Not Guilty.”
 Of the *Specification*, 2d Charge—“Guilty,” with the exception of the words, “*did keep it secret.*”
 Of the 2d CHARGE—“Guilty.”

SENTENCE.

And the Court does therefore sentence him, Captain Nathaniel S. Constable, Assistant Quartermaster, U. S. A., "*To be reprimanded in General Orders by the Department Commander.*"

II...The proceedings, and the findings under the first Charge, are approved. The findings under the 2d Charge, and the Sentence, are disapproved—the facts established showing an absence of any criminal intent. Captain Constable will be released from arrest and return to duty.

III...The General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 59, current series, from these Headquarters, and of which Brevet Brigadier General P. R. DE TROBRIAND, Colonel 13th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL

Norman L. L. L.
Maj. Gen. St. L. L.
Judge Advocate

HEADQUARTERS, DEPARTMENT OF DAKOTA.

ST. PAUL, MINN., MAY 30, 1870.

GENERAL ORDERS, }
No. 32. }

In compliance with Circular from the Adjutant Generals' Office, dated April 27, 1870, the tri-monthly report of enlisted men discharged for disability, heretofore furnished these Headquarters by Post Commanders, will be discontinued.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Assistant Surgeon *J. H. T. King*, U. S. Army.

HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JUNE 2, 1870.

GENERAL ORDERS, } No. 33. }

I... Before a General Court Martial which convened at Fort Totten, D. T., by virtue of Special Orders, No. 162, Extract III, series of 1869, from these Headquarters, and of which Brevet Major L. M. KELLOGG, Captain, 20th U. S. Infantry, is President, was arraigned and tried :

Assistant Surgeon *J. H. T. King*, U. S. Army.

CHARGE I.—“ Conduct unbecoming an officer and a gentleman.”

Specification.—“ In this, that he, Assistant Surgeon *J. H. T. King*, U. S. A., did go to Mr. H. S. Dale, (contractor for building the new post of Fort Totten, and after frightening the employes with the tale that they had ‘ English cholera ’ among them, did solicit their patronage as their medical adviser,) but not meeting with success in arrangements with Mr. Dale about his fees, &c., did inform Mr. Dale, that ‘ he, (Assistant Surgeon *J. H. T. King*,) was one of the officers who would inspect the buildings after they were finished,’ or words to that effect, which in con-

nection with the previous conversation, was a bribe to the said H. S. Dale, to use his influence with his men, or a threat to force him to do so. This at or near Fort Totten, D. T., on or about July 16th, 1869."

Specification II.—"In this, that he, Assistant Surgeon *J. H. T. King*, U. S. A., did, while attending the family of a citizen, Daniel Oelsen, in the course of his private practice, direct the said Daniel Oelsen to come to the Post Hospital by the *rear way*, stating 'that he was coming so often for medicines, that if he came by the *front way*, he would attract the attention of the authorities to him,' or words to that effect. This at or near Fort Totten, D. T., on or about May 8th, 1868."

Specification III.—"In this, that he, Assistant Surgeon *J. H. T. King*, U. S. A., did go to Mr. Peter Sutherland, the Indian Agent of the Sisseton and Wahpeton Sioux, and endeavor to enter into an arrangement with him, to charge the Government for medical attendance of the Indians under him, offering Mr. Sutherland to divide with him the amount made. This at or near Fort Totten, D. T., on or about April 20th, 1869."

CHARGE II.—"Knowingly and willfully misappropriating, and wrongfully and knowingly selling property of the United States, furnished for the military service of the United States."

Specification I.—"In this, that he, Assistant Surgeon *J. H. T. King*, U. S. A., did during the month of February or March, 1869, or part of both, receive into the Post Hospital of Fort Totten, in his *private practice*, not bearing him on the records or returns, one John Runyon, a civilian, issuing to him Government medicines, and partly hospital rations, and for which service and medicines he did charge and collect from him, twenty-five dollars (25.00), more or less, not accounting to the Government for the medicines, or crediting it for them. This at or

near Fort Totten, D. T., on or about February and March, 1869."

Specification II.—"In this, that he, Assistant Surgeon *J. H. T. King*, U. S. A., did sell to Mr. Daniel Oelsen, a citizen, Government medicines, amounting to five dollars (\$5.00), more or less, and for which he was paid the money, and which money he has not accounted to the Government for. This at or near Fort Totten, D. T., on or about May 8th, 1868."

Specification III.—"In this, that he, Assistant Surgeon *J. H. T. King*, U. S. A., in his private practice, for which he collected ten dollars (\$10.00), more or less, did furnish a civilian, James H. Rice, with Government medicines, not accounting to the Government or reimbursing it for the same. This at or near Fort Totten, D. T., on or about July 15th, 1869."

Specification IV.—"In this, that he, Assistant Surgeon *J. H. T. King*, U. S. A., did habitually, in his private practice, furnish James Carney, and others, whose names are unknown, with hospital stores and medicines, collecting fees for his services and medicines, and not accounting to the Government or reimbursing it for the property so taken. This at or near Fort Totten, D. T., at various dates from January 1st, 1868, till August 27th, 1869."

CHARGE III.—"Insubordination, conduct to the prejudice of good order and military discipline."

Specification—"In this, that he, Assistant Surgeon *J. H. T. King*, U. S. A., when informed by his Commanding Officer, Brevet Lieutenant Colonel George A. Williams, Major, 20th Infantry, that an order would be issued to the guard to shoot all dogs found on the parade, did reply, that 'if his dogs were shot, that he would come in, (meaning into Colonel Williams' quarters,) and shoot or kill his, (Colo-

nel Williams') dog,' or words to that effect. This at Fort Totten, D. T., on or about August 27th, 1869."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the 1st *Specification*, 1st Charge—"Not Guilty."

To the 2d *Specification*, 1st Charge—"Not Guilty."

To the 3d *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 3d *Specification*, 2d Charge—"Not Guilty."

To the 4th *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Not Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty," but attach no criminality thereto.

Of the 3d *Specification*, 1st Charge—"Guilty," but attach no criminality thereto.

Of the 1st CHARGE—"Not Guilty."

Of the 1st *Specification*, 2d Charge—"Not Guilty."

Of the 2d *Specification*, 2d Charge—"Not Guilty."

Of the 3d *Specification*, 2d Charge—"Not Guilty."

Of the 4th *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

Of the *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

And the Court do therefore sentence him, Assistant Surgeon J. H. T. King, U. S. A., "To be suspended from rank and pay for six (6) months."

II...The proceedings in the case of Assistant Surgeon *J. H. T. King*, U. S. A., are disapproved, on account of irregularities in the record and erroneous rulings of the Court—amongst others, in excluding certain questions affecting the general character for veracity of a material witness for the prosecution, (but not relating to particular transactions,) which were introduced with the view of impeaching his credibility. In one instance, a question of this nature is recorded as being objected to “by the Court,” and the objection not sustained, again objected to, (on what ground, and by whom, the record fails to show,) and the previous action of the Court reversed. A question of similar import, affecting the character for veracity of another witness for the prosecution, is elsewhere admitted, notwithstanding the former ruling of the Court. Assistant Surgeon *J. H. T. King*, U. S. A., is released from arrest, and will return to duty.

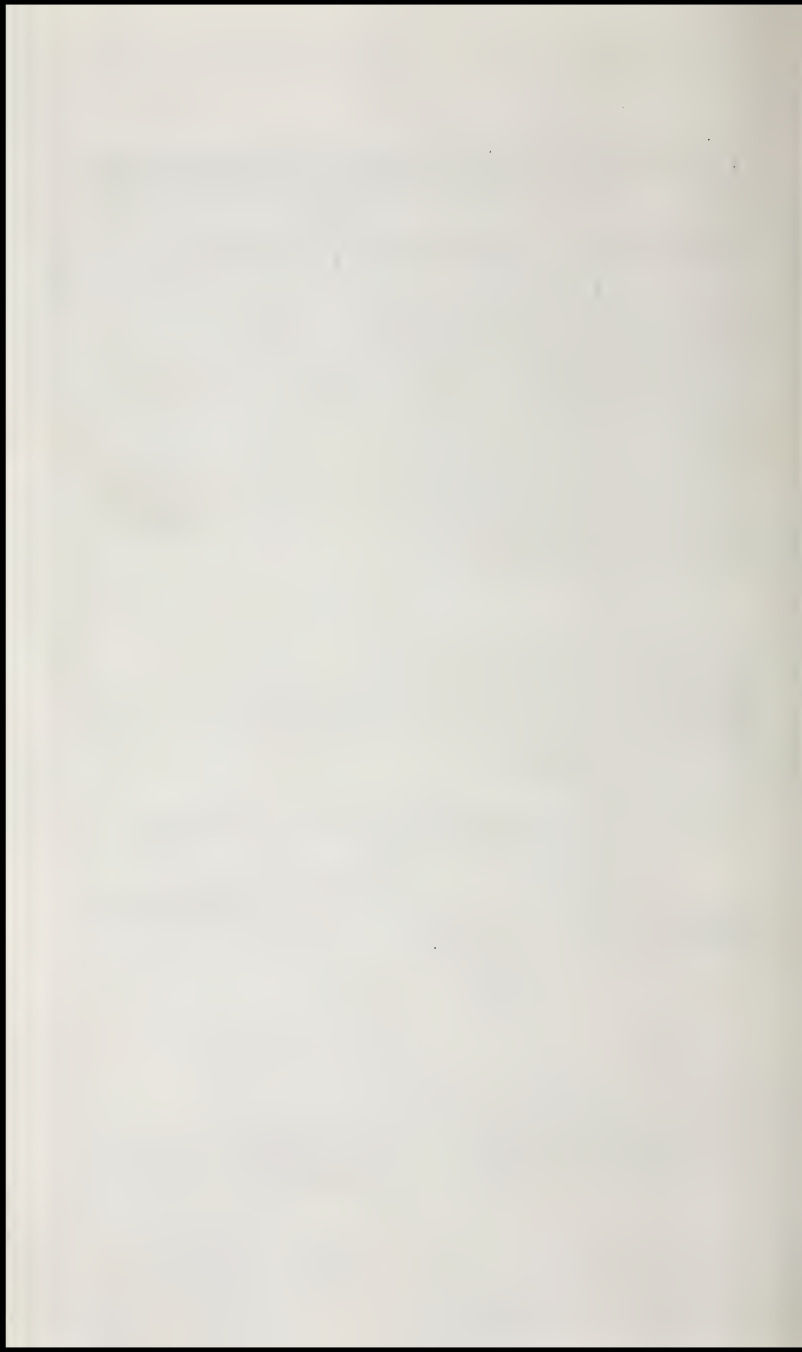
III...The General Court Martial which convened at Fort Totten, D. T., by virtue of Special Orders No. 162, Extract VII, series of 1869, from these Headquarters, and of which Brevet Major L. M. KELLOGG, Captain 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JUNE 7, 1870.

GENERAL ORDERS, }
No. 34. }

Subject to the approval of the Secretary of War, and confirmatory of the proceedings of a Board of Officers appointed to designate such reservation, which has been provisionally declared in Orders from Headquarters District of Minnesota, May 22d, 1870, the following described lands are hereby reserved to the United States as a reservation for a military post to be built thereupon, viz:

The south one-half ($\frac{1}{2}$) of sections fourteen (14) and fifteen (15): sections twenty-two (22) and twenty-three (23), and the north one-half ($\frac{1}{2}$) of sections twenty six (26) and twenty seven (27), in Township one hundred and sixty-three (163) north of range fifty-six (56) west, according to the United States survey.

Subject to the approval of the War Department the new post will be known as Fort "George H. Thomas," in commemoration of the distinguished services of the late Major General GEORGE H. THOMAS, U. S. Army.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL

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G. C. M.

1. Private *John Davis*, Company "H," 22d Infantry.
 2. Private *Frank Moore*, Company "E," 22d Infantry.
 3. Private *Charles F. Bailey*, Company "E," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN, JUNE 10, 1870.

GENERAL ORDERS, } No. 35. }

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders, No. 28, current series, from these Headquarters, and of which Brevet Major General D. S. STANLEY, Colonel 22d Infantry, is President, were arraigned and tried:

1st. Private *John Davis*, Company "H," 22d Infantry.

CHARGE.—"Desertion," (Violation of the 20th Article of War.)

Specification.—"In this, that he, Private *John Davis*, Company "H," 22d Infantry, having been duly enlisted as a soldier in the service of the United States, did desert said service, and remain absent therefrom until apprehended at or near Chappelle Creek, D. T., on or about February 10th, 1870, (\$30. paid for apprehension). All this at or near Fort Sully, D. T., on or about the 7th day of February, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with the forfeiture of all pay and allowances now due, or that may become due, and to be confined in such military prison as the Commanding General of the Department may direct, for the period of two (2) years."

2d. Private *Frank Moore*, Company "E," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Frank Moore*, Company "E," 22d Infantry, (temporarily attached to Company "I," 22d Infantry.) a duly enlisted soldier in the service of the United States, did desert said service on or about the 7th day of February, 1870, at or near Fort Sully, D. T., and did remain absent until apprehended at or near Tomkin's Rancho, between Fort Sully, D. T., and Fort Thompson, D. T., on or about February 10th, 1870. All this at or near Fort Sully, D. T., on or about the dates specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with the forfeiture of all pay and allowances now due, or that may become due, and to be confined in such military prison as the Commanding General of the Department may direct, for the period of two (2) years."

3d. Private *Charles F. Bailey*, Company "E," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Charles F. Bailey*, Company "E," 22d Infantry, (temporarily attached to Company "I," 22d Infantry,) a duly enlisted soldier in the service of the United States, did desert said service on or about the 2d day of February, 1870, at or near Fort Sully, D. T., and did remain absent until apprehended near Tomkin's Rancho, D. T., on or about the 9th day of February, 1870. All this at or near Fort Sully, D. T., on or about the dates above specified."

To which *CHARGE* and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with the forfeiture of all pay and allowances now due, or that may become due, and to be confined in such military prison as the Commanding General of the Department may direct, for the period of two (2) years."

II...The proceedings and findings in the foregoing cases of Privates *John Davis*, Company "H," *Frank Mocre* and *Charles F. Bailey*, Company "E," 22d Infantry, are approved. The sentences are approved and will be duly carried into execution. Fort Sully, D. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *John Panner*, Company "K," 13th Infantry.
 2. Private *Herman Myer*, Company "A," 13th Infantry.
 3. Private *John Freel*, Company "A," 13th Infantry.
 4. Private *Charles Wisong*, Company "A," 13th Infantry.
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HEADQUARTERS DEPARTMENT OF DAKOTA, ST. PAUL, MINN., JUNE 11, 1870.

GENERAL ORDERS, } No. 36. }

I... Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders, No. 18, Extract III, current series, from these Headquarters, and of which Brevet Brigadier General P. R. DE TROBRIAND, Colonel, 13th U. S. Infantry, is President, were arraigned and tried:

1st. Private *John Panner*, Company "K," 13th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *John Panner*, Company "K," 13th Infantry, a duly enlisted soldier in the military service of the United States, did absent himself without authority, and desert the military service of the United States, at Omaha, Nebraska, on or about the 5th day of August, 1869, and did remain absent until apprehended at Cincinnati, Ohio, on or about the 30th day of August, 1869. Thirty dollars (\$30.) paid for apprehension."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—" Not Guilty."

To the CHARGE—" Not Guilty."

FINDING.

Of the *Specification*—" Guilty," except the words, "*and did remain absent until apprehended at Cincinnati, Ohio, on or about the 30th day of August, 1869.*"

Of the CHARGE—" Guilty."

SENTENCE.

" *To forfeit to the United States all pay that is now due, or that may become due him for one year, and to be confined at hard labor under charge of the guard, wearing a ball and chain attached to his left leg, for the same period.*"

21. Private *Herman Myer*, Company "A," 13th Infantry.

CHARGE—" Desertion."

Specification.—" In this, that he, Private *Herman Myer*, Company "A," 13th Infantry, did desert the service, and did remain absent until apprehended on or about April 4th, 1870. This at Fort Shaw, M. T., on or about March 31st, 1870. Thirty dollars paid for apprehension."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—" Guilty."

To the CHARGE—" Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States; to forfeit all pay and allowances that are due or that may become due, and to be confined at hard labor for a period of three years, at such military prison as the Department Commander may direct."

3d. Private *John Freel*, Company "A," 13th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this, that he, Private *John Freel*, Company "A," 13th Infantry, being a member of the post guard at Fort Shaw, M. T., duly detailed and mounted, did become so much under the influence of intoxicating liquor, as to be unable to perform his duty. This at Fort Shaw, M. T., on or about February 28th, 1870."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John Freel*, Company "A," 13th Infantry, did, while a member of the post guard at Fort Shaw, M. T., and having been duly posted as a sentinel at the corral, neglect his duty, having been twice found by a non-commissioned officer of the guard, lying down on, or near his post. This at Fort Shaw, M. T., on or about the 28th day of February, 1870."

To which *CHARGES* and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, for a period of (6) six months."

4th. Private *Charles Wisong*, Company "A," 13th Inf'ty.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *Charles Wisong*, Company "A," 13th Infantry, did desert the service of the United States, and did remain absent until apprehended some forty miles distant from his post. This at Fort Shaw, M. T., on or about March 31st, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States;"

to forfeit all pay and allowances due or that may become due, and to be confined at hard labor for a period of three years, at such military prison as the Department Commander may direct."

II...The proceedings and findings in the cases of Privates *John Panner*, Company "K," and *John Freel*, Company "A," 13th Infantry, are approved. The sentences are confirmed, and will be duly carried into execution at the posts where their companies may be serving.

The proceedings, findings and sentence in the case of Private *Herman Myer*, Company "A," 13th Infantry, are approved, but upon the recommendation of all of the members of the Court, the sentence is mitigated to a dishonorable discharge, and, as thus modified, will be duly carried into execution.

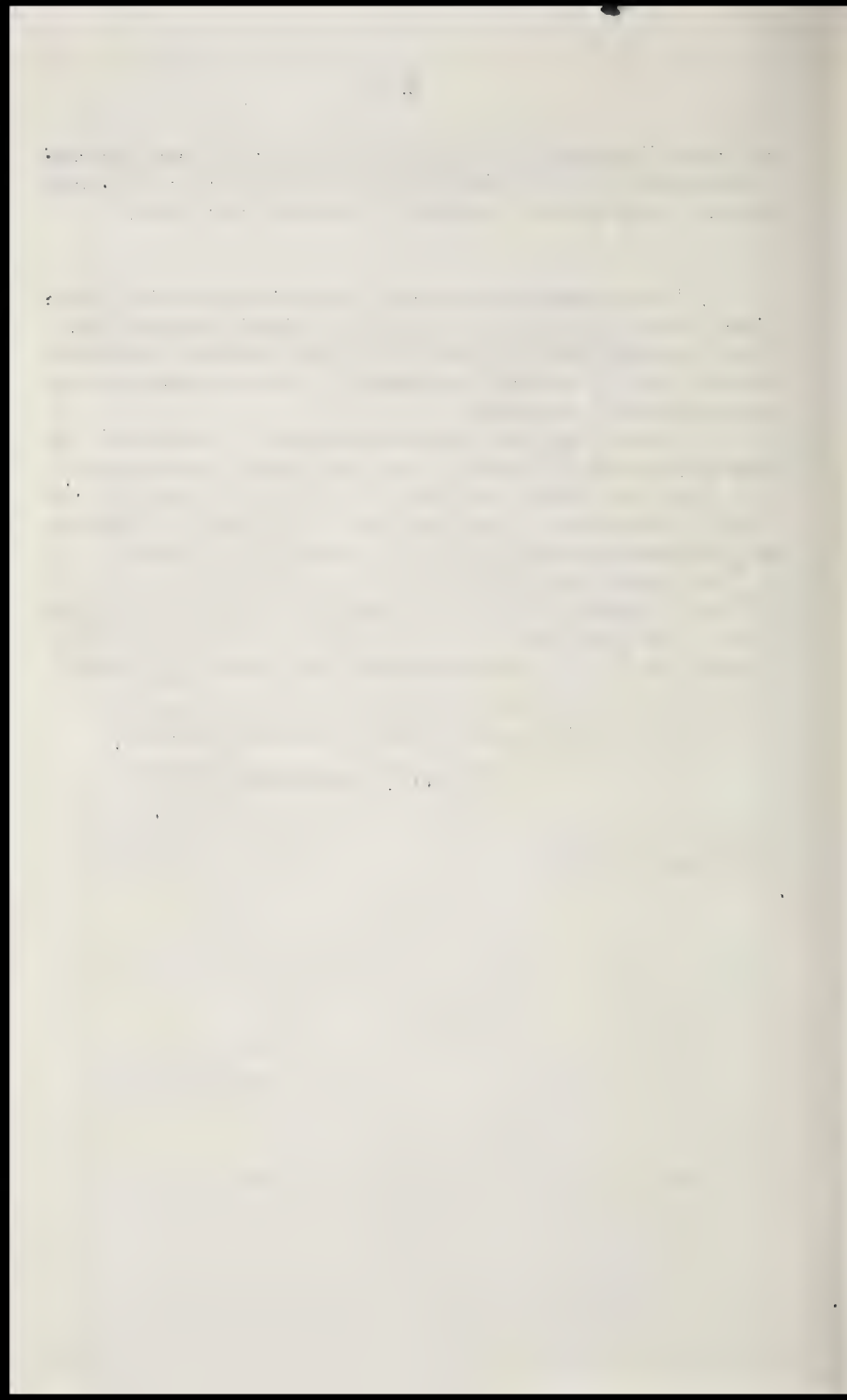
The proceedings and findings in the case of Private *Charles Wisong*, Company "A," 13th Infantry, are approved. The sentence is confirmed, and will be duly carried into execution. Fort Shaw, M. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Private *John Mackin*, Company "D," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JUNE 18, 1870.

GENERAL ORDERS, } No. 37.

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders, No. 18, current series, from these Headquarters, and of which Brevet Colonel J. N. G. WHISTLER, Major, 22d Infantry, is President, was arraigned and tried :

Private *John Mackin*, Company "D," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *John Mackin*, Company "D," 22d U. S. Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 8th day of July, 1869, at or near the town of Yankton, D. T., and did remain absent until the 7th day of September, 1869, when he was apprehended, in citizen clothes, at Sioux City, Iowa. Thirty dollars (\$30.) having been paid for his apprehension. All this at or near Mud Creek, between Fort Dakota and Yankton, D. T., on or about the 8th day of July, 1869."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are or may become due, except the just dues of the laundress, and to be dishonorably discharged the service of the United States, then to be confined in such Penitentiary as the General Commanding may direct, for the period of one year."

II...The proceedings and findings are approved. It being impracticable for the Court to re-convene for the reconsideration of the sentence, so much of it as relates to confinement in a Penitentiary, is disapproved, such punishment for a purely military offence being unauthorized by law. The remainder of the sentence is approved, and will be carried into effect.

It is to be regretted that the prisoner has escaped a merited punishment, in consequence of the failure of the Court to make itself acquainted with the law.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JUNE 27, 1870.

GENERAL ORDERS, }
No. 38. }

Hereafter all requisitions made by officers serving in this Military Department, for funds, property or supplies, appertaining to either the Quartermaster's or Subsistence Departments, which require the action of military authorities superior to the Department Commander, will be forwarded to the Assistant Adjutant General of the Department, for the action of the Major General Commanding, and for his transmittal to the proper superior authority for further action.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JUNE 28, 1870.

GENERAL ORDERS, }
No. 39. }

General Orders No. 34, current series, from these Headquarters,
is hereby revoked.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JULY 5, 1870.

GENERAL ORDERS, }
No. 40. }

2d Lieutenant G. S. L. WARD, 22d Infantry, having reported at these Headquarters in compliance with Special Orders No. 38 current series, from these Headquarters, is announced as Acting Ordnance Officer of the Department. He will be obeyed and respected accordingly.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JULY 22, 1870.

GENERAL ORDERS, }
No. 41. }

Subject to the approval of the Secretary of War, and confirmatory of the proceedings of a Board of Officers appointed to designate such reservation, which has been provisionally declared in General Orders No. 1, from Headquarters, Fort Geo. H. Thomas, dated Pembina, D. T., July 8, 1870, the following described lands are hereby reserved to the United States, as a reservation for a military post, to be built thereupon, viz: Sections sixteen (16), seventeen (17), and eighteen (18), in township one hundred and sixty-three (163), north of range numbered fifty-one (51), west of the fifth (5th) principal meridian, according to the United States survey.

Subject to the approval of the War Department, the new post will be known as Fort George H. Thomas, in commemoration of the distinguished services of the late Major General GEORGE H. THOMAS, U. S. Army.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Brevet Lieutenant Colonel *Henry Inman*, Captain and Assistant Quartermaster, U. S. Army.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JULY 23, 1870.

GENERAL ORDERS, }
No. 42. }

I... Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders, Nos. 72 and 81, current series, from these Headquarters, and of which Brevet Major General GEORGE SYKES, Colonel, 20th Infantry, is President, was arraigned and tried:

Brevet Lieutenant Colonel *Henry Inman*, Captain and Assistant Quartermaster, U. S. Army.

CHARGE I.—“ Making a false certificate relative to his pay, in violation of the 14th Article of War.”

Specification.—“ In this, that he, Brevet Lieutenant Colonel *Henry Inman*, Captain and Assistant Quartermaster, U. S. A., did, on his several pay accounts, for the months of May, June, July, August, September and October, 1869, certify to the accuracy and justness of the same,

which said certificates were false, the pay of the said Brevet Lieutenant Colonel *Henry Inman*, having been stopped by virtue of an order of the Secretary of War, dated May 25th, 1869, of which he was cognizant. All this at or near Fort Fred. Steele, Wyoming."

CHARGE II.—"Conduct unbecoming an officer and a gentleman."

Specification.—"In this, that he, Brevet Lieutenant Colonel *Henry Inman*, Captain and Assistant Quartermaster, U. S. A., did induce Major R. D. Clarke, Paymaster, U. S. A., to pay him on his pay accounts for the months of May, June, July, August, September and October, 1869, by assuring him, (Major Clarke,) that the matters on account of which a stoppage of pay against him, (Brevet Lieutenant Colonel *Inman*,) had been made, had been adjusted, and that there was no longer a stoppage against him, which said representations were false. All this at or near Fort Fred. Steele, Wyoming, on or about the last days of the months specified."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Not Guilty."

Of the 1st CHARGE—"Not Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

"And the Court does therefore *honorably acquit him*."

II...The proceedings and findings are approved. Colonel *Inman* has been released from arrest and restored to duty.

III...The General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders Nos. 72 and 81, current series, from these Headquarters, and of which Brevet Major General GEORGE SYKES, Colonel 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Private *Samuel Chadwick*, Company "F," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JULY 24, 1870.

GENERAL ORDERS, }
No. 43. }

I...Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders No. 28, current series, from these Headquarters, and of which Brevet Major General D. S. STANLEY, Colonel 22d Infantry, is President, was arraigned and tried:

Private *Samuel Chadwick*, Company "F," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that Private *Samuel Chadwick*, Company "F," 22d Infantry, (temporarily attached to "I" Company, 22d Infantry,) a duly enlisted soldier in the service of the United States, did desert the same on or about the 15th day of April, 1870, and did remain absent until apprehended at or near Fort Thompson, D. T., on or about the 26th day of April, 1870. All this at or near Fort Sully, D. T., on or about the 15th day of April, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or which may become due; to be dishonorably discharged the service of the United States, and to be confined in such military prison as the Commanding General of the Department may direct, for the period of two (2) years."

II...The proceedings and findings are approved. The sentence is confirmed, and will be duly carried into execution. Fort Sully, D. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Brevet Major *L. M. Kellogg*, Captain, 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., JULY 25, 1870.

GENERAL ORDERS, } No. 44. }

I...Before a General Court Martial, which convened at St. Paul, Minn., by virtue of Special Orders Nos. 88 and 118, current series, from these Headquarters, and of which Brevet Major General D. S. STANLEY, Colonel 22d Infantry, is President, was arraigned and tried :

Brevet Major *L. M. Kellogg*, Captain, 20th Infantry.

CHARGE I.—“Disrespectful and insubordinate language towards his Superior Officer and Regimental Commander, to the prejudice of good order and military discipline.”

Specification.—“In this, that Brevet Major *Lyman M. Kellogg*, U. S. A., Captain, 20th Infantry, did address to the Assistant Adjutant General, Headquarters Department of Dakota, an official letter, dated Headquarters Fort Ransom, D. T., January 10th, 1870, containing language highly disrespectful and insubordinate towards his Regimental Commander, Brevet Major General George Sykes, U. S. A., Colonel, Commanding 20th Infantry, as follows, to-wit :

' HEADQUARTERS, FORT RANSOM, D. T.,
January 10, 1870.

*Brevet Brig General O. D. Greene,
A. A. General, Dept. of Dakota,
St. Paul, Minn.*

GENERAL :

I herewith enclose an official copy of General Orders No. 18, dated December 3, 1869, from Headquarters, 20th Infantry, promulgating proceedings of a Regimental Court Martial, held at this post, pursuant to Special Orders No. 89, dated October 8, 1869, from Headquarters, 20th Infantry.

These orders reprimand me as the commanding officer of Company "D," 20th Infantry. To this reprimand I take no exception, believing that those who know me—especially when acquainted with the facts of the case—will think fully as highly of me, and believe that my conduct was actuated by the purest motives for the good of the service in the proper maintenance of discipline.

These orders also contain allegations concerning the conduct of affairs at this post, and assume to give orders to the Post Commander. To these allegations and this assumption I do take serious exception, believing as I do, that no "Regimental Commander" in the Department has the authority as such, to criticise in "orders" the conduct of affairs at this post, and that any officer without authority indulging in such criticism, is guilty of impertinent and unofficerlike conduct, especially impertinent and unofficerlike when the allegations are false or based upon partial or private statements. * * *

This at the time and place specified."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that Brevet Major *Lynan M. Kellogg*, U. S. A., Captain, 20th Infantry, having received Regimental Order No. 18, series of 1869, promulgating the proceedings of a Regimental Court Martial, which Regimental Court Martial was assembled under the 35th Article of War, has purposely neglected and failed to publish said order to his company, or to the particular soldiers

in said company affected thereby, and has permitted the term of service of said particular soldiers to expire without making known to them the result of the investigation had in their behalf by said Court Martial. This at Fort Ransom, D. T., between December 3d, 1869, and February 8th, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—" Not Guilty."

To the 1st CHARGE—" Not Guilty."

To the *Specification*, 2d Charge—" Not Guilty."

To the 2d CHARGE—" Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty."

Of the 1st CHARGE—" Guilty."

Of the *Specification*, 2d Charge—" Guilty, but the Court attaches no criminality thereto."

Of the 2d CHARGE—" Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Brevet Major *Lyman M. Kellogg*, U. S. A., Captain 20th Infantry, "*To be reprimanded in General Orders by the Commanding General.*" The Court is thus lenient on account of the manifest and unjustifiable provocation given the accused by the prosecutor."

II.. Whilst approving the proceedings, findings and sentence in the above case, the Major General Commanding can not but express his decided disapprobation of the reason assigned by the Court for the leniency of the sentence. A communication, disrespectful and insubordinate towards a military commander, is not justified or palliated by provocation. The proper means of obtaining redress were open to Major *Kellogg*, and his recourse to such language as that, of which he has

been found guilty of having made use, is not excusable. The reflection by the Court upon Major *Kellogg's* Regimental Commander, does not, in the opinion of the Commanding General, detract from the culpability of the accused, or present any good reason for the leniency of the sentence.

Brevet Major *L. M. Kellogg*, U. S. A., is released from arrest.

III..The General Court Martial which convened at St. Paul, Minn., by virtue of Special Orders Nos. 88 and 118, current series from these Headquarters, and of which Brevet Major General D. S. STANLEY, Colonel 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., AUGUST 1, 1870.

GENERAL ORDERS, }
No. 45. }

The practice of supporting the cartridge-box, bayonet, &c., entirely by the waist belt, having been reported against by Medical Officers of the Army, as calculated to produce "Hæmaturia," the troops of this command will be required to wear the cartridge belt across the shoulder, according to present pattern, until a new one is substituted.

It is made the duty of the Inspector General of the Department, to see that this regulation is strictly enforced.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *Andrew F. Peterman*, Company "D," 14th Inf'y.
 2. Private *Lawrence Fleming*, Company "D," 14th Inf'y.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., AUGUST 5, 1870.

GENERAL ORDERS, } No. 46. }

I...Before a General Court Martial, which convened at Whetstone Agency, D. T., by virtue of Special Orders No. 100, current series, from these Headquarters, and of which Captain J. H. VAN DERSLICE, 14th Infantry, is President, were arraigned and tried:

1st. Private *Andrew F. Peterman*, Company "D," 14th Infantry.

CHARGE I.—"Violation of the 44th Article of War."

Specification.—"In this, that Private *Andrew F. Peterman*, Company "D," 14th Infantry, having been regularly detailed on extra duty in the Quartermaster's Department, by his Commanding Officer, did fail to repair to the place appointed, at the proper time. This at Camp Whetstone Agency, D. T., on or about June 11th, 1870."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that Private *Andrew F. Peterman*, Company "D," 14th Infantry, being a prisoner in the guard-house, did write and send a threatening and mutinous communication to 2d Lieutenant Patrick Hasson, 14th Infantry, his superior officer, in the following words and figures, viz :

'WHETSTONE AGENCY, D. T., June 11th, 1870.

Lieutenant P. Hasson :

SIR : I have the pleasure of addressing a few lines to you in regard to my case, that you put me in the guard-house without any provocation, and if you do not release me, you will regret the day you ever confined me.

(Signed)

A. F. PETERMAN."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances which are or may become due him, except the just dues of the laundress; to be confined at hard labor under charge of the guard, for four months, and at the expiration of his term of confinement, to be dishonorably discharged the service."

2d. Private *Lawrence Fleming*, Company "D," 14th Infantry.

CHARGE I.—"Violation of the 21st Article of War."

Specification.—"In this, that Private *Lawrence Fleming*, Company "D," 14th Infantry, did, without leave of his commanding officer, absent himself from his company and quarters, from about 3 P. M., on the 10th day of June, until about 4 P. M., on the 12th day of June, 1870. This at or near Whetstone Agency, D. T., on or about the dates above specified."

CHARGE II.—"Disobedience of orders."

Specification.—"In this, that Private *Lawrence Fleming*, Company "D," 14th Infantry, did, in violation of Post Order, No. 3, dated Whetstone Agency, D. T., May 12th, 1870, cross to the east side of the Missouri River, without authority from his commanding officer. This at or near Whetstone Agency, D. T., on or about June 10th, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States the sum of ten dollars (\$10.) per month of his monthly pay for the period of three months."

The Court is thus lenient in consideration of the excellent character previously borne by the accused, as testified to by his company officers.

II...The proceedings and findings in the foregoing cases are approved. The sentences are confirmed, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Thomas Donnelly*, Company "G," 20th Infantry.
 2. Private *Andy J. Commings*, Company "G," 20th Infantry.
 3. Private *Thomas Sweeney*, Company "G," 20th Infantry.
 4. Private *Dow Lewis*, Company "G," 20th Infantry.
 5. Private *John Freeman*, Company "G," 20th Infantry.
 6. Private *Elias H. Richardson*, Company "G," 20th Inf'y.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., AUGUST 6, 1870.

GENERAL ORDERS, { No. 47. }

I...Before a General Court Martial, which convened at Fort Ripley, Minn., by virtue of Special Orders No. 122, current series, from these Headquarters, and of which Captain E. C. MASON, 20th Infantry, is President, were arraigned and tried:

1st. Private *Thomas Donnelly*, Company "G," 20th Inf'y.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Thomas Donnelly*, Company "G," 20th Infantry, a duly enlisted soldier of the United States, did desert said service from Fort Ripley, Minn., on the night of the 13th of June, 1870, and did remain absent until apprehended by 1st Lieutenant Stanton Weaver, 20th Infantry, about a mile from the

ferry at Swan River, Minn., on the morning of the 14th day of June, 1870. All this at or near the post of Fort Ripley, Minn., and Swan River Ferry, Minn., on or about the 13th and 14th days of June, 1870.

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due him, except the just dues of the laundry, to be dishonorably discharged from the service of the United States, and to be confined at hard labor at such military prison as the Commanding General may direct, for the period of five (5) years."

2d. Private *Andy J. Commings*, Company "G," 20th Inf'y.

CHARGE I.—"Desertion."

Specification.—"In this, that he, *Andy J. Commings*, a duly enlisted soldier in the service of the United States, and Private of Company "G," 20th Infantry, did desert the said service at Fort Ripley, Minn., on or about the 24th day of May, 1870, and did remain absent until apprehended near Pleasant Valley, Sherbourne County, Minn., on the 27th day of May, 1870. Eighty-two dollars and twenty cents (\$82.20) paid for his apprehension."

CHARGE II.—“Theft, to the prejudice of good order and military discipline.”

Specification.—“In this, that *Andy J. Commings*, Private Company “G,” 20th Infantry, did steal and appropriate to his own use, two (2) mules, two (2) saddles, two (2) bridles, and two (2) pairs of spurs and straps, the property of the United States. This at Fort Ripley, Minn., on or about the 24th day of May, 1870.”

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—“Guilty.”

To the 1st CHARGE—“Guilty.”

To the *Specification*, 2d Charge—“Not Guilty.”

To the 2d CHARGE—“Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“Guilty.”

Of the 1st CHARGE—“Guilty.”

Of the *Specification*, 2d Charge—“Guilty,” except the words “two (2) pairs,” substituting therefor the words, “one and a half pairs.”

Of the 2d CHARGE—“Guilty.”

SENTENCE.

“To forfeit all pay and allowances now due, or that may become due him, except the just dues of the laundress; to be dishonorably discharged from the service of the United States, and to be confined at hard labor at such military prison as the Commanding General may direct, for the period of five (5) years.”

3d. Private *Thomas Sweeney*, Company “G,” 20th Infantry,

CHARGE.—“Desertion.”

Specification.—"In this, that he, Private *Thomas Sweeney*, Company "G," 20th Infantry, a duly enlisted soldier of the United States, did desert said service from Fort Ripley, Minn., on the night of the 13th of June, 1870, and did remain absent until apprehended by 1st Lieutenant Stanton Weaver, 20th Infantry, about a mile from the ferry at Swan River, Minn., on the morning of the 14th day of June, 1870. All this at or near the post of Fort Ripley, Minn., and Swan River Ferry, Minn., on or about the 13th and 14th days of June, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due him, except the just dues of the laundress; to be dishonorably discharged from the service of the United States, and to be confined at hard labor at such military prison as the Commanding General may direct, for the period of five years."

4th. Private *Dow Lewis*, Company "G," 20th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, *Dow Lewis*, a duly enlisted soldier in the service of the United States, and Private of Company "G," 20th Infantry, did desert the said service at Fort Ripley, Minn., on or about the 24th day of

May, 1870, and did remain absent until apprehended near Pleasant Valley, Sherburne County, Minn., on the 27th day of May, 1870. Eighty-two dollars and twenty cents (\$82.20) paid for his apprehension."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that *Dow Lewis*, Private Company "G," 20th Infantry, did steal and appropriate to his own use, two (2) mules, two (2) saddles, two (2) bridles, and two (2) pairs spurs and straps, the property of the United States. This at Fort Ripley, Minn., on or about the 24th day of May, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty," except the words "*two (2) pairs*," substituting therefor the words, "*one and a half pairs*."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due him, except the just dues of the laundress; to be dishonorably discharged from the service of the United States, and to be confined at hard labor at such military prison as the Commanding General may direct, for the period of five (5) years."

5th. Private *John Freeman*, Company "G," 20th Infantry.

CHARGE.—"Desertion."

Specification.—In this, that he, Private *John Freeman*, Company "G," 20th Infantry, a duly enlisted soldier of the United States, did desert said service from Fort Ripley, Minn., on the night of the 13th of June, 1870, and did remain absent until apprehended by 1st Lieutenant *Stanton Weaver*, 20th Infantry, about a mile from the ferry at Swan River, Minn., on the morning of the 14th day of June, 1870. All this at or near the post of Fort Ripley, Minn., and Swan River Ferry, Minn., on or about the 13th and 14th days of June, 1870.

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due him, except the just dues of the laundress; to be dishonorably discharged from the service of the United States, and to be confined at hard labor at such military prison as the Commanding General may direct, for the period of five (5) years."

6th. Private *Elias H. Richardson*, Company "G," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Elias H. Richardson*, Company "G," 20th Infantry, a duly enlisted soldier of the United States, did desert said service from Fort Ripley, Minn., on the night of the 13th of June, 1870, and did remain absent until apprehended by 1st Lieutenant Stanton Weaver, 20th Infantry, about a mile from the ferry at Swan River, Minn., on the morning of the 14th day of June, 1870. All this at or near the post of Fort Ripley, Minn., and Swan River, Minn., on or about the 13th and 14th days of June, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due him, except the just dues of the laundress; to be dishonorably discharged from the service of the United States, and to be confined at hard labor at such military prison as the Commanding General may direct, for the period of five (5) years."

II...The proceedings, findings and sentences in the cases of Privates *Thomas Donnelly*, *Thomas Sweeney*, *John Freeman*, and *Elias H. Richardson*, Company "G," 20th Infantry, are approved; but the terms of confinement are limited to the expiration of their terms of enlistment. As thus mitigated, the sentences will be duly executed at Fort Ripley, Minn., which is designated as the place of confinement.

The proceedings and findings in the cases of Privates *Andy J. Commings* and *Dew Lewis*, Company "G," 20th Infantry,

are approved. The sentences are confirmed, and will be duly carried into execution at Fort Ripley, Minn., which is designated as the place of confinement.

III...The General Court Martial which convened at Fort Ripley, Minn., by virtue of Special Orders No. 122, current series, from these Headquarters, and of which Captain E. C. MASON, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., AUGUST 8, 1870.

GENERAL ORDERS, }
No. 48. }

Section 11 of the act making appropriations for the support of the army for the year ending June 30, 1870, approved July 15, 1870, requires that lists be furnished to the Secretary of War of officers "deemed unfit for the proper discharge of their duties, from any cause except injuries incurred or disease contracted in the line of their duty, setting forth specifically in each case the cause of such unfitness."

In order that such list may be prepared at these Headquarters, Commanders of Regiments and Posts in this Department, will forward, with as little delay as practicable, the names, rank, regiment and corps of staff or regimental officers, who, in their judgment should be brought before the Board provided for in said section. "In each case the cause, degree, nature and duration of the disqualification will be stated as clearly as possible; and the documentary evidence, and list of witnesses necessary to sustain the allegation of unfitness will also be furnished."

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., AUGUST 9, 1870.

GENERAL ORDERS, }
No. 49. }

2d Lieutenant G. S. L. WARD, 22d Infantry, Acting Ordnance Officer of the Department, will relieve 1st Lieutenant E. H. TOT-
TEN, 13th Infantry, on the 15th instant, as Acting Signal Officer of
the Department, receipting to him for such signal property, records,
&c, as he may be responsible for.

After being relieved as herein directed, Lieutenant TOTTEN will
proceed to obey Paragraph 8, Special Orders 172, current series,
Headquarters of the Army, Adjutant General's Office.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., AUGUST 10, 1870.

GENERAL ORDERS, }
No. 50. }

Subject to the approval of the proper authority, the reservation of Fort George H. Thomas, near Pembina, D. T., as announced in Department General Orders No. 41, current series, is hereby extended to include all that portion of section fifteen (15), in township one hundred and sixty three (163), north of range number fifty-one (51), west of the fifth (5th) principal meridian, according to the United States survey, which lies on the right bank of the Red River of the North.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.





G. C. M.

Private *August Hasselblad*, Company "H," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., AUGUST 10, 1870.

GENERAL ORDERS, } No. 51. }

I... Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders Nos. 28 and 105, current series, from these Headquarters, and of which Brevet Lieutenant Colonel JOSEPH P. WRIGHT, Surgeon, U. S. Army, is President, was arraigned and tried :

Private *August Hasselblad*, Company "H," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *August Hasselblad*, Company "H," 22d Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 13th day of May, 1870, and did remain absent therefrom until apprehended near Fort Thompson, D. T., on the 16th day of May, 1870. This at Fort Sully, D. T., on or about the date above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that is due, or may become due; to be dishonorably discharged the service of the United States, and to be confined for the period of two years in such military prison as the Commanding General may direct."

II...The proceedings and findings are approved. The sentence is confirmed and will be duly carried into execution. Fort Sully, D. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *John McDonald*, Company "E," 20th Infantry.
 2. Private *Richard Owens*, Company "E," 20th Infantry.
 3. Private *Edward Levi*, Company "E," 20th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., AUGUST 11, 1870.

GENERAL ORDERS, } No. 52. }

I... Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders, No. 25, current series, from these Headquarters, and of which Brevet Major General GEORGE SYKES, Colonel 20th Infantry, is President, were arraigned and tried :

1st. Private *John McDonald*, Company "E," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John McDonald*, of Company "E," 20th Infantry, did assault with a knife, or other sharp weapon, inflict a wound upon Private *Edward Levi* of same company and regiment. This at or near Fort Snelling, Minn., on or about the 10th day of May, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."
To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."
Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit fifteen dollars (\$15.) of his pay per month, for three months, and to be confined at hard labor in charge of the guard for two (2) months, twelve days in each month to be solitary confinement on bread and water."

2d. Private *Richard Owens*, Company "E," 20th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that Private *Richard Owens*, Company "E," 20th Infantry, being a member of the guard, duly mounted, and having in charge unassigned recruit *Clark Harris*, (colored.) U. S. A., a general prisoner charged with desertion, did permit said *Harris* to escape. This at Fort Snelling, Minn., on the 20th day of June, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."
To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit ten dollars of his pay per month, for six months, and to be kept in solitary confinement in a cell on bread and water for fourteen (14) days."

3d. Private *Edward Levi*, Company "E," 20th Infantry.

CHARGE.—"Violation of the Forty-Sixth (46th) Article of War."

Specification.—"In this, that he, Private *Edward Levi*, Company "E," 20th Infantry, being a member of the post guard, and having been duly posted as a sentinel, did leave his post without being properly relieved, and did go to sleep thereon. This at Fort Snelling, Minn., on or about the 18th day of July, 1870."

To which *CHARGE* and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty," except the words "*and did go to sleep thereon.*"

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit ten dollars of his monthly pay per month, for six

months, and to be confined at hard labor in charge of the guard for thirty days, ten of which to be in solitary confinement on bread and water."

II...The proceedings and findings in the foregoing cases are approved. The sentences are confirmed, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,
Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

ST. PAUL, MINN., AUGUST 28, 1870.

GENERAL ORDERS,)
No. 53.)

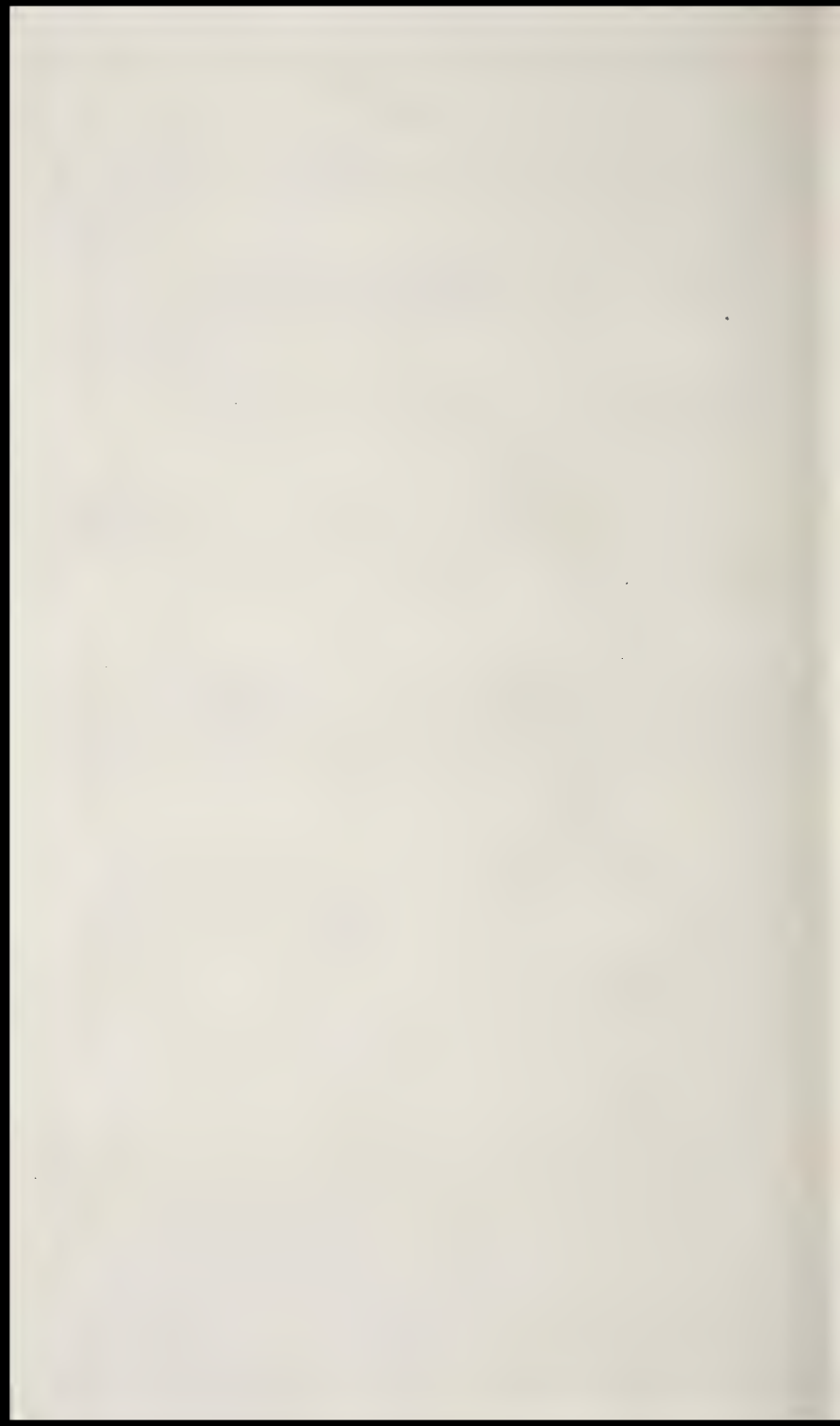
Surgeon J. F. HEAD, Medical Staff, U. S. A., having reported at these Headquarters, in obedience to Paragraph 2, Special Orders No. 154, current series, Headquarters of the Army, Adjutant General's Office, is announced as Medical Director of the Department. He will be obeyed and respected accordingly.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., AUGUST 31, 1870.

GENERAL ORDERS,)
No. 54.)

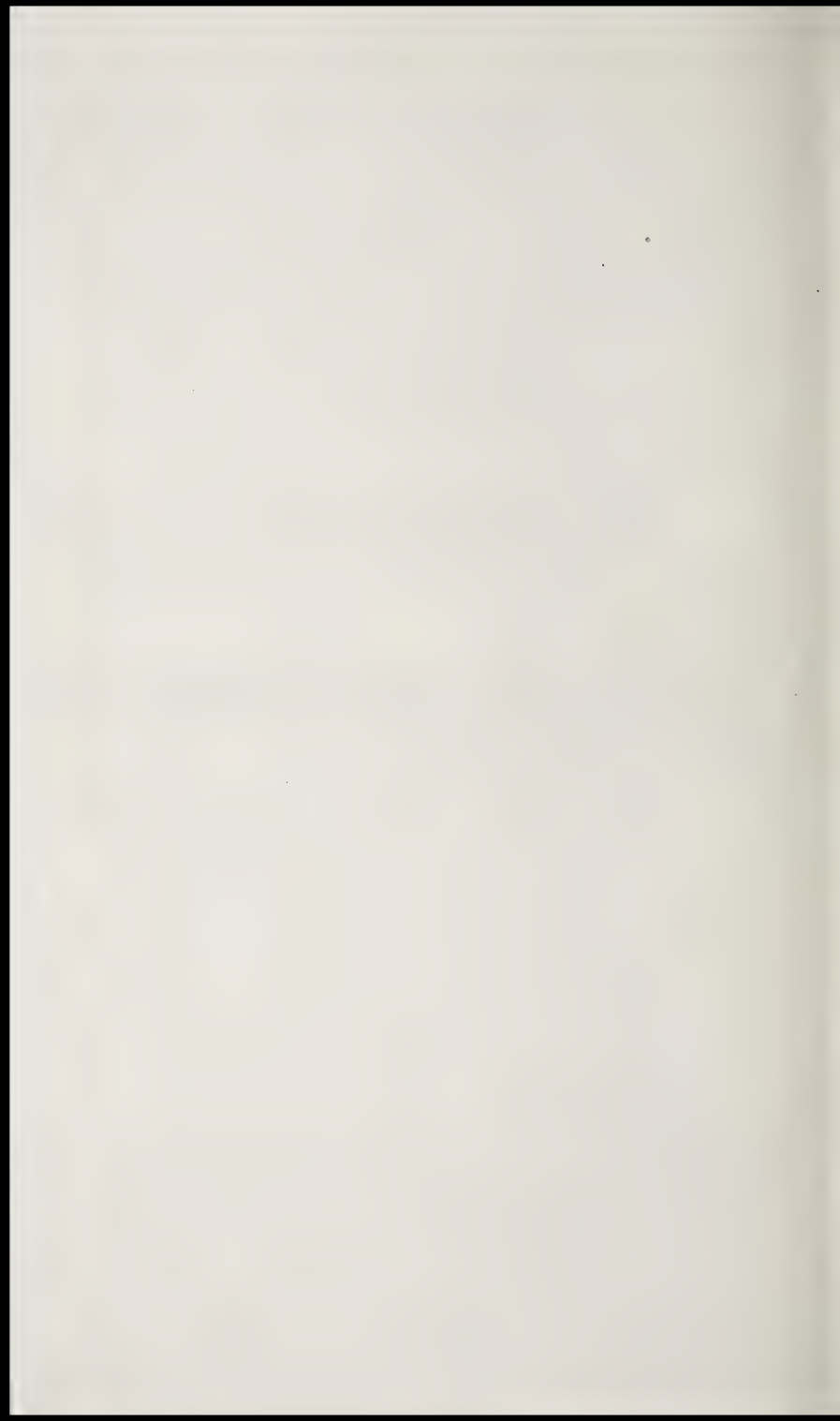
The General Courts Martial, constituted by paragraphs one (1), two (2), and three (3), of Special Orders, No. 100, current series, from these Headquarters, are hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., SEPTEMBER 6, 1870.

GENERAL ORDERS, }
No. 55. }

In accordance with instructions from the Honorable Secretary of War, General Orders, Nos. 41 and 50, current series, from these Headquarters, are hereby so amended as to read, "Fort Pembina," instead of "Fort George H. Thomas." The post will accordingly hereafter be known and designated as Fort Pembina.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., SEPTEMBER 7, 1870.

GENERAL ORDERS, {
No. 56. }

I. 2d Lieutenant JOHN B. RODMAN, 20th Infantry, is hereby announced as Aide-de-Camp to the Major General Commanding the Department. He will be obeyed and respected accordingly.

II. Surgeon JOHN CAMPBELL, Medical Staff, U. S. A., is hereby announced as Acting Medical Director of the Department, during the temporary absence of the Medical Director accompanying the Department Commander on a tour of inspection to Fort Pembina, D. T. He will be obeyed and respected accordingly.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., SEPTEMBER 8, 1870.

GENERAL ORDERS.)
No. 57.)

I. During the temporary absence of Captain J. H. GILMAN, Commissary of Subsistence, U. S. A., Chief Commissary of Subsistence of the Department, accompanying the Commanding General of the Department on an inspection of the post of Fort Pembina, D. T., Major A. BAIRD, Inspector General's Department, U. S. A., will perform the ordinary office duties of Chief Commissary of Subsistence of the Department. He will be obeyed and respected accordingly.

II. During the temporary absence of Lieutenant Colonel S. B. HOLABIRD, Deputy Quartermaster General, U. S. A., Chief Quartermaster of the Department, accompanying the Commanding General of the Department on an inspection of the post of Fort Pembina, D. T., 1st Lieutenant THOMAS LATCHFORD, Regimental Quartermaster, 20th Infantry, will perform the duties of post Quartermaster at these Headquarters. He will also take charge of the office of the Chief Quartermaster, and perform such ordinary routine office duties as he can properly attend to.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Private *Henry J. Dew*, Company "F," 2d Cavalry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., SEPTEMBER 9, 1870.

GENERAL ORDERS,)
No. 58.)

I...Before a General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders Nos. 18 and 29, current series, from these Headquarters, and of which Surgeon PHILIP C. DAVIS, U. S. Army, is President, was arraigned and tried:

Private *Henry J. Dew*, Company "F," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Henry J. Dew*, a private of Company "F," 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 8th day of May, 1870, and did remain absent until apprehended, in citizen's clothes, near the Cañon House, M. T., May 10th, 1870."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."
To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, until the expiration of his term of service ; to have attached to his left leg, by a chain four (4) feet long, a ball weighing twenty (20) pounds ; to forfeit to the United States all pay and allowances now due or which may become due, except the just dues of the laundry ; and then to be dishonorably discharged the service of the United States."

11... The proceedings, findings and sentence in the foregoing case of Private *Henry J. Dew*, Company "F," 2d Cavalry, are approved. The sentence will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *John Ferguson*, Company "K," 20th Infantry.
 2. Private *William Gibson*, Company "H," 20th Infantry.
 3. Private *Frederick Kamphner*, Company "E," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., SEPTEMBER 10, 1870.

GENERAL ORDERS, } No. 59. }

I...Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 25, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried :

1st. Private *John Ferguson*, Company "K," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *John Ferguson*, Company "K," 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at or near Cold Spring, Minn., on or about July 23rd, 1870, while en route to join his Company at Fort George H. Thomas, D. T., and did remain absent until apprehended at St. Paul, Minn., on or about July 26th, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due or that may become due him; to be dishonorably discharged and drummed out of the service; to be kept at hard labor, with ball and chain twelve (12) pounds weight, for five (5) years, at such military prison as the Department Commander may designate—twelve days in each of the first six months of said confinement to be solitary, and on bread and water."

2d. Private William Gibson, Company "H," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private William Gibson, Company "H," 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at or near Cold Spring, Minn., on or about July 23rd, 1870, while en route to join his Company at Fort Wadsworth, D. T., and did remain absent until apprehended at St. Paul, Minn., on or about July 26th, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty,"

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service; to be kept at hard labor, with ball and chain twelve (12) pounds weight, for five (5) years, at such military prison as the Department Commander may designate—twelve days in each of the first six months of said confinement to be solitary, and on bread and water."

3d. Private *Frederick Kamphner*, Company "E," 20th Infantry

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Frederick Kamphner*, Company "E," 20th U. S. Infantry, having been duly enlisted into the military service of the United States, did desert the same on the 26th day of July, 1870, and did remain absent until apprehended and brought back on the 29th day of July, 1870. This at or near Fort Snelling, Minn., on the dates above specified."

To which *CHARGE* and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the *CHARGE*—"Not Guilty," but guilty of "*Absence without leave*."

FINDING.

Of the *Specification*—"Guilty," except the word "*desert*," substituting therefor the words, "*absent himself from*."

Of the CHARGE—"Not Guilty," but guilty of "*absence without leave.*"

SENTENCE.

"To reimburse the Government the expense incurred in his apprehension, and to be kept in solitary confinement, on bread and water, for fourteen days."

II. The proceedings, findings and sentences in the foregoing cases of Privates *John Ferguson* (Company "K,") and *William Gibson* (Company "H,") 20th Infantry, are approved. The sentences will be duly carried into execution at Fort Snelling, Minn., which is designated as the place of confinement.

(3.) The proceedings, findings and sentence in the case of Private *Frederick Kamphner*, Company "E," 20th Infantry, are approved. The sentence will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Corporal *Deater Robinson*, Company "D," 22d Infantry.
 2. Sergeant *William Roberts*, Company "C," 22d Infantry.
 3. Private *Lawrence Nugent*, Company "C," 22d Infantry.
 4. Private *John H. Lambert*, Company "C," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., SEPTEMBER 11, 1870.

GENERAL ORDERS, { No. 60. }

I...Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 18, paragraph 2, current series, from these Headquarters, and of which Major J. N. G. WHISTLER, 22d Infantry, is President, were arraigned and tried :

1st. Corporal *Dexter Robinson*, Company "D," 22d Infantry.

CHARGE.—"Desertion."

Specification. — "In this, that he, Corporal *Dexter Robinson*, Company "D," 22d Infantry, having been duly enlisted in the service of the United States, did desert the same, and did remain absent until he delivered himself up as a deserter at Whetstone, D. T., on or about the 4th day of May, 1870. This at Fort Randall, D. T., on or about the 23d day of January, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the rank of a private soldier; to forfeit to the United States ten dollars (\$10.) of his monthly pay for six (6) months, and to be confined at hard labor in charge of the guard for the same period."

2d. Sergeant William Roberts, Company "C," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Sergeant William Roberts, of Company "C," 22d Infantry, did become so drunk as to unfit him for the proper performance of his duties as a soldier. This at Fort Randall, D. T., on the 18th day of May, 1870."

Specification II.—"In this, that he, Sergeant William Roberts, of Company "C," 22d Infantry, did, while under the influence of liquor, enter the quarters occupied by Lieutenant S. O'Connor, U. S. A., and when ordered by that officer to leave said quarters, would not do so, and remained till forced out by the servant. This at Fort Randall, D. T., on the 18th day of May, 1870."

Specification III.—"In this, that he, Sergeant William Roberts,

of Company "C," 22d U. S. Infantry, after having been ordered by 1st Lieutenant S. O'Connor, U. S. A., to go to his quarters, did reply: '—————, damn you.' This at Fort Randall, D. T., on the 18th day of May, 1870."

To which CHARGE and *Specifications* the accused pleaded as follows :

To the 1st *Specification*—"Guilty."

To the 2d *Specification*—"Guilty."

To the 3d *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the 3d *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks, and to forfeit to the United States ten dollars (\$10.) of his monthly pay for six months."

3d. Private *Lawrence Nugent*, Company "C," 22d Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *Lawrence Nugent*, Company "C," 22d Infantry, having been duly enlisted in the service of the United States, did desert the same, and did remain absent until apprehended at the Ponca Indian Agency, D. T., on or about the 12th day of April, 1870. This at Fort Randall, D. T., on or about the 10th day of April, 1870."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10.) of his monthly pay for six (6) months, and to be confined at hard labor in charge of the guard, for the same period, with a fifteen pound ball attached to his left leg by a chain six feet long."

4th. Private John H. Lambert, Company "C," 22d Inf'ty.

CHARGE—"Desertion."

Specification.—"In this, that he, Private John H. Lambert, Company "C," 22d Infantry, having been duly enlisted in the service of the United States, did desert the same, and did remain absent until apprehended at the Ponca Indian Agency, D. T., on or about the 12th day of April, 1870. This at Fort Randall, D. T., on or about the 10th day of April, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due or that may become due at the expiration of his sentence; to be confined at hard labor under charge of the guard for one year, wearing a twenty four pound ball attached to his left leg by a chain six feet long."

II...The proceedings, findings and sentences in the cases of Corporal *Dexter Robinson*, Company "D," Sergeant *William Roberts*, and Privates *Lawrence Nugent* and *John H. Lambert*, Company "C," 22d Infantry, are approved. The sentences will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., SEPTEMBER 21, 1870.

GENERAL ORDERS, }
No. 61. }

The attention of "all officers in immediate charge of public animals" in this Department, is called to paragraph 1, General Orders No. 104, Headquarters of the Army, Adjutant General's Office, series of 1868.

The returns therein specified will hereafter be promptly forwarded through proper channels to these Headquarters.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS DEPARTMENT OF DAKOTA.

St. Paul, September 21, 1870.

GENERAL ORDERS,
No. 61.

In this Department is called to Paragraph 1. General Order No. 61.
of the Army, Adjutant General's Office, dated March 1, 1868.

BY COMMAND OF THE ADJUTANT GENERAL.

61-1

G. C. M.

1. Private *Harry Carter*, Company "D," 7th Infantry.
 2. Private *John B. Woods*, Company "D," 7th Infantry.
 3. Private *James Moran*, Company "D," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 4, 1870.

GENERAL ORDERS,) No. 62.)

I...Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders, No. 112, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:

1st. Private *Harry Carter*, Company "D," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Harry Carter*, of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Fort Buford, D. T., on or about the 5th day of July, 1870, and did remain absent therefrom until apprehended at or near the mouth of the Big Muddy, on the Missouri river, D. T., on or about the 6th day of July, 1870. This at the time and places above specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due, or to become due, except the just dues of the laundress; to have the letter "D," two inches long, indelibly marked upon his left hip; to be drummed out of and dishonorably discharged the service of the United States, and then to be confined for the period of two years in such military prison as the Commanding General may designate."

2d. Private *John B. Woods*, Company "D," 7th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *John B. Woods*, of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Fort Buford, D. T., on or about the 5th day of July, 1870, and did remain absent therefrom until apprehended at or near the mouth of the Big Muddy, on the Missouri river, D. T., on or about the 6th day of July, 1870. This at the time and places above specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress; to have the letter 'D,' two inches long, indelibly marked upon his left hip; to be drummed out of, and dishonorably discharged the service of the United States, and then to be confined for the period of two years in such military prison as the Commanding General may designate."

3d. Private *James Moran*, Company "D," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *James Moran*, of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Fort Buford, D. T., on or about the 5th day of July, 1870, and did remain absent therefrom until apprehended at or near the mouth of the Big Muddy, on the Missouri river, D. T., on or about the 6th day of July, 1870. This at the time and places above specified."

To which *CHARGE* and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress; to have the letter 'D,' two inches long, indelibly marked upon his left hip; to be drummed out of, and dishonorably discharged the service of the United States, and then to be confined for the period of two years in such military prison as the Commanding General may designate."

II...The proceedings and findings in the foregoing cases are approved. So much of the sentences as relates to indelibly marking the prisoners with the letter 'D,' is remitted. The remainder of the sentences is approved, and will be duly carried into execution. Fort Buford, D. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Private *Ross Alley*, Company "E," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 6, 1870.

GENERAL ORDERS, } No. 63. }

I...Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders Nos. 124 and 135, current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, was arraigned and tried:

Private *Ross Alley*, Company "E," 7th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Ross Alley*, Private Company "E," 7th Infantry, did feloniously take, steal and carry away from the company store-room, and appropriate to his own use (1) one breech-loading Springfield Rifle, calibre 50, the property of the United States, of the value of \$50.00, more or less, and for which 1st Lieutenant Harry H. Link, 7th U. S. Infantry, is responsible. All this at Fort Bridger, Wyoming, on or about the 28th day of February, 1870.

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due, except the just dues of the laundress, and to be dishonorably discharged from the service of the United States."

II...The proceedings and findings are approved. The sentence is in this case confirmed, and will be duly carried into execution. The Major General Commanding calls attention, however, to the fact that the penitentiary in this Department is made available for the imprisonment of this class of criminals. It has been customary heretofore to take advantage of this fact in determining the punishment to be imposed for the crime of larceny, and there appears to be no reason why an exception should have been made in this instance. Simply to dishonorably discharge a convict of this character with the loss of his pay, is to offer a premium upon the commission of similar crimes.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 8, 1870.

GENERAL ORDERS,)
No. 64.)

Post Commanders in this Department are hereby directed to cause the annual estimates for Quartermaster's stores, and clothing, camp and garrison equipage, required by their respective commands for the fiscal year ending June 30, 1872, to be made out and forwarded to the Assistant Adjutant General of the Department in time to reach these Headquarters by December 1st, 1870.

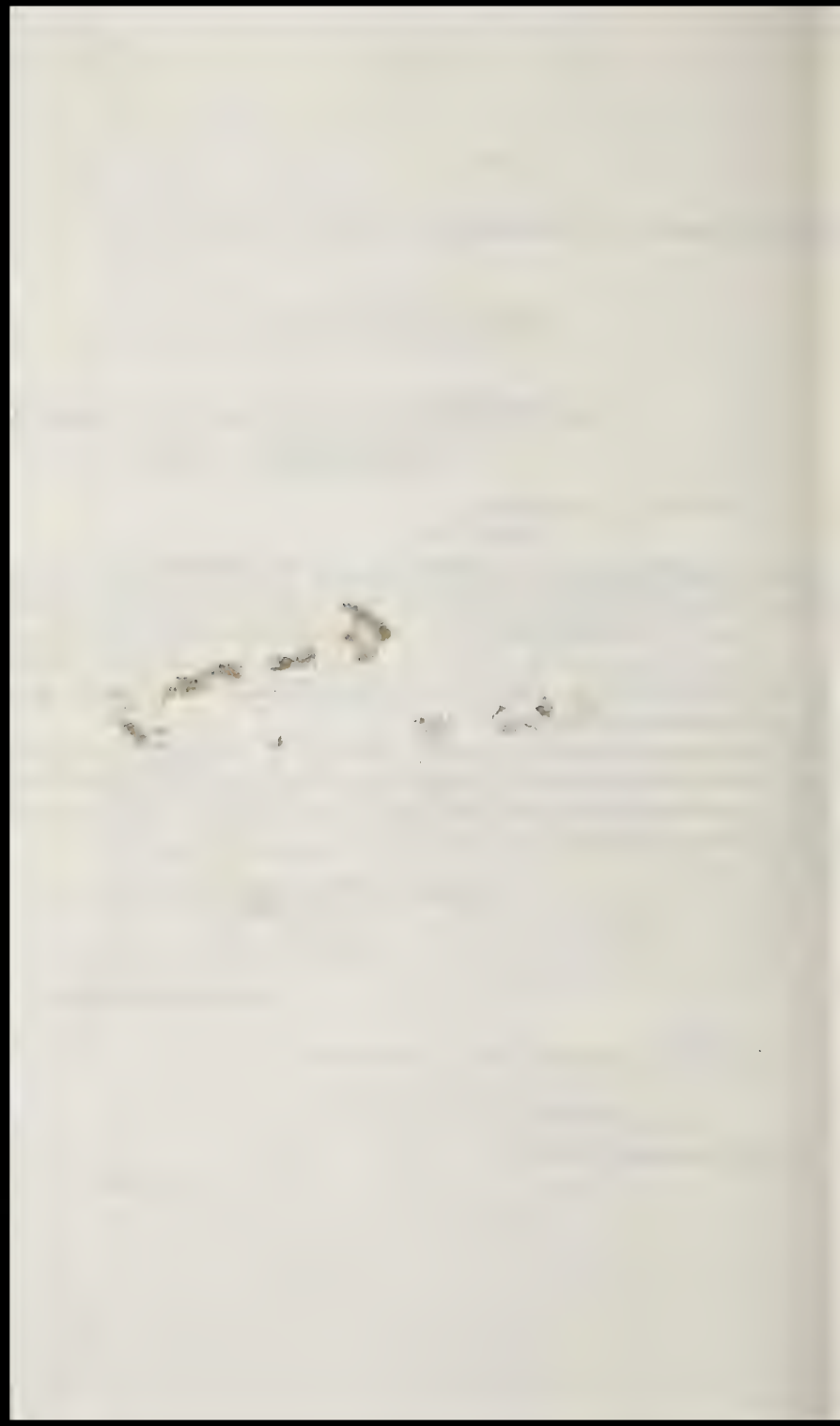
In preparing these estimates, Officers in the Quartermaster's Department will be governed by instructions already given by the Chief Quartermaster of the Department relative to the details and forms to be used in the execution of this order.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 9, 1870.

GENERAL ORDERS, }
No. 65. }

In view of the discontinuance of the Weekly Reports of Sick and Wounded, as directed in Circular No. 1, Surgeon General's Office, dated September 28, 1870, Medical Officers serving in this Department will *report by letter* to these Headquarters all the information heretofore embodied in the Weekly Reports, under the head of remarks, relative to the changes of Troops, Medical Officers, and Hospital Stewards; the report to be made on the day of arrival or departure in every case.

These reports are necessary to enable the Medical Director of the Department to give the desired information in his "Report of Posts and Stations," required by the Surgeon General of the Army, on the 15th of every month.

Medical Officers and Hospital Stewards are also reminded of the importance of promptness in making their Monthly Personal Reports to the Adjutant General and Surgeon General of the Army, and to the Medical Director of the Department.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 15, 1870.

GENERAL ORDERS,)
No. 66.)

Captain HENRY CLAYTON, 17th U. S. Infantry, having reported at these Headquarters, *en route* to join his regiment, in compliance with paragraph 7 of Special Orders No. 154, current series, Headquarters of the Army, Adjutant General's Office, is hereby assigned to duty as Acting Ordnance Officer of the Department, relieving 2d Lieutenant G. S. L. WARD, 22d Infantry.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

THE DOLLAR'S PRESENT POSITION

By J. H. B. J. J. J. J. J.

G. C. M.

Private *Joseph A. S. Kirk*, Company "E," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 17, 1870.

GENERAL ORDERS, } No. 67. }

I...Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders, No. 159, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, was arraigned and tried :

Private *Joseph A. S. Kirk*, Company "E," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Joseph A. S. Kirk*, Company "E," 20th U. S. Infantry, a soldier duly enlisted into the service of the United States, did desert the same, on the 15th day of September, 1870, and did remain absent until he surrendered himself at Fort Snelling, Minn., on the 24th day of September, 1870. This at or near Fort Snelling, Minn, on or about the dates above specified."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, except the words, 'did desert,' substituting therefor the words 'did absent himself from.'"

Of the *CHARGE*—"Not Guilty, but Guilty of absence without leave."

SENTENCE.

"To forfeit ten dollars per month of his monthly pay for three months, and to be kept in solitary confinement on bread and water for ten days."

II...The proceedings and findings in the foregoing case of Private *Joseph A. S. Kirk*, Company "E," 20th Infantry, are approved. The sentence is approved and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Nick Winters*, Company "K," 20th Infantry.
 2. Private *James Clark*, Company "I," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., OCTOBER 18, 1870.

GENERAL ORDERS,)
No. 68.)

I...Before a General Court Martial, which convened at Fort George H. Thomas, D. T., by virtue of Special Orders. No. 149, current series, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, were arraigned and tried :

1. Private *Nick Winters*, Company "K," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that Private *Nick Winters*, Company "K," 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 14th day of August, 1870, and did remain absent until apprehended on or about the 15th day of August, 1870. All this at Fort George H. Thomas, D. T., on or about the dates specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due; to be dishonorably discharged from the service of the United States, and to be confined at hard labor at such military prison as the Commanding General may direct, for the period of three (3) years."

2. Private *James Clark*, Company "I," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, *James Clark*, a private of Company "I," 20th Infantry, and a duly enlisted soldier in the service of the United States, did desert the service on or about the 14th day of August, 1870, and did remain absent until apprehended, twenty or more miles from the station of his company, on or about the fifteenth day of August, 1870. This at Fort George H. Thomas, Pembina, D. T."

To which *CHARGE* and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due; to be dishonorably discharged the service of the United States, and to be confined at hard labor at such military prison as the Commanding General may direct, for the period of three (3) years."

II...The proceedings and findings in the foregoing cases are approved. The sentences are approved, and will be duly carried into execution. Fort George H. Thomas, D. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

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G. C. M.

1. Private *Bernard Ward*, Company "I," 7th Infantry.
 2. Private *George Norris*, Company "D," 7th Infantry.
 3. Private *James Davis*, Company "I," 7th Infantry.
 4. Private *Barney Carney*, Company "F," 7th Infantry.
 5. Private *James Fleming*, Company "D," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 19, 1870.

GENERAL ORDERS, } No. 69. }

I...Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders No. 112, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:

1st. Private *Bernard Ward*, Company "I," 7th Infantry.

CHARGE.—"Drunkenness on Duty."

Specification.—"In this, that Private *Bernard Ward*, Company 'I,' 7th Infantry, on duty with a mounted detachment, did, on the 30th day of March, 1870, become so much under the influence of intoxicating liquor as to be unable to sit upon his horse, or perform the duty of a soldier properly. This while *en route* from Rawlings,

Wyoming Territory, to Fort Fred. Steele, Wyoming Territory, on or about the date above specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

"In consideration of the long confinement, (i. e. five months,) of the accused, Private Bernard Ward, Company "I," 7th U. S. Infantry, the Court prescribes no punishment, and recommends that he be released from confinement and returned to duty."

2d. Private George Norris, Company "D," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, George Norris, private of Company 'D,' 7th U. S. Infantry, serving with detachment mounted Infantry at Fort Fred. Steele, Wyoming Territory, did desert the service of the United States and remain away therefrom until arrested at Rock Creek, Wyoming Territory, on or about the 22d day of March, 1870. All this at Fort Fred. Steele, Wyoming Territory, on or about the 21st day of March, 1870."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, George Norris, private Company 'D,' 7th U. S. Infantry, did steal, take and carry

away one Sharpe's carbine, model 1868, and one Remington revolver, calibre 44, one pistol belt holster, all the property of the United States, and for which 2d Lieutenant Robert H. Young, 4th Infantry, commanding detachment mounted Infantry, at Fort Fred. Steele, Wyoming Territory, is responsible. All this on or about the 21st day of March, 1870, at Fort Fred. Steele, Wyoming Territory."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress; to have the letter 'D,' two inches long, indelibly marked upon his left hip; to be drummed out of, and dishonorably discharged the service of the United States, and then to be confined for the period of three years in such military prison as the Commanding General may designate."

3d. Private James Davis, Company "I," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *James Davis*, Company 'I,' 7th U. S. Infantry, a soldier duly enlisted in the service of the United States, did desert said service at Fort Buford, D. T., on or about the night of the 4th July, 1870, and did remain absent until apprehended at or near the mouth of the Big Muddy, on the Missouri river, on or about the evening of the 5th July, 1870. All this at the times and places above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *James Davis*, Company 'I,' 7th Infantry, did steal and take away with him one (1) Springfield breech-loading musket and forty (40) rounds of centre primed metallic cartridges, the property of the United States, for which Captain Charles C. Rawn, 7th Infantry, is responsible, and that said property was found in his possession when he was apprehended. All this at or near Fort Buford, D. T., on or about the 4th and 5th days of July, 1870."

Specification II.—"In this, that he, Private *James Davis*, Company 'I,' 7th Infantry, did steal and take away with him one (1) Mackinaw boat, the property of citizen Joseph Anderson, and that said property was found in his possession when he was apprehended. All this at or near Fort Buford, D. T., on or about the 4th and 5th days of July, 1870."

To which **CHARGES** and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st **CHARGE**—"Guilty."

To the 1st *Specification*, 2d Charge—"Guilty."

To the 2d *Specification*, 2d Charge—"Guilty."

To the 2d **CHARGE**—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress; to have the letter 'D,' two inches long, indelibly marked upon his left hip; to be drummed out of, and dishonorably discharged the service of the United States, and then to be confined for the period of two years in such military prison as the Commanding General may designate."

4th. Private *Barney Carney*, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Barney Carney*, Company 'F,' 7th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Buford, D. T., on or about the 4th day of July, 1870, and did remain absent therefrom until apprehended at or near the Big Muddy, on the Missouri river, on or about the 6th day of July, 1870. All this on or about the time and place specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Barney Carney*, Company 'F,' 7th U. S. Infantry, did steal, take and carry away and appropriate to his own use, a row-boat or yawl, and four (4) oars, the property of one Mr. Joseph

Anderson, a Government contractor at Fort Buford, D. T., using said boat to enable him to desert the service of the United States. All this at Fort Buford, D. T., on or about the 4th day of July, 1870."

Specification II.—"In this, that he, Private *Barney Carney*, Company 'F,' 7th Infantry, did steal, take and carry away, and appropriate to his own use, the following named property of the United States, viz: (1) one breech-loading rifled Springfield musket, and (35) thirty-five rounds of ammunition, with a view to protect himself against the Indians, while deserting the service of the United States. All this at Fort Buford, D. T., on or about the 4th day of July, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the 1st *Specification*, 2d Charge—"Guilty."

To the 2d *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due, or to become due, except the just dues of the laundress; to have the letter "D," two inches long, indelibly marked upon his left hip; to be drummed out of and dishonorably discharged the service of the United States, and then to be confined for the period of two

years in such military prison as the Commanding General may designate."

5th. Private *James Fleming*, Company "D," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that Private *James Fleming*, Company "D," 7th U. S. Infantry, did, on the morning of the 16th day of April, 1870, desert the service of the United States, he being a duly enlisted soldier at the time, and did remain absent until arrested in the cellar of a section house on the Union Pacific Railroad, six miles from the quarters of his company. All this at Fort Fred. Steele, Wyoming Territory, and at the section house above mentioned, on the day and date above specified."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor in charge of the guard for one year, and to forfeit to the United States (10) ten dollars of his monthly pay for the same period."

II...The proceedings in the case of Private *Bernard Ward*, Company "I," 7th U. S. Infantry, are disapproved. The Court having found the accused guilty of the charge and specification, should have prescribed a punishment proportionate to

the offence. The reasons assigned for not doing so might properly have been presented to the reviewing authority in a recommendation for the remission of the sentence, but there is no authority for such action as the Court has taken. In consideration of the long confinement of the prisoner, the proceedings are not returned to the Court for reconsideration. He will be released from confinement and restored to duty.

In the cases of Privates *George Norris*, Company "D," *James Davis*, Company "I," and *Barney Carney*, Company "F," 7th Infantry, the proceedings and findings are approved. So much of the sentences as requires that the prisoners be indelibly marked with the letter "D," is remitted. The remainder of the sentences is approved, and will be duly carried into execution. Fort Buford, D. T., is designated as the place of confinement.

The proceedings and findings in the case of Private *James Fleming*, Company "D," 7th Infantry, are approved. The sentence is approved, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

George W. Lusk
Major 2d Army
Judge Advocate

G. C. M.

1. Private *Eugene H. Lancaster*, Company "C," 22d Inf'ty.
 2. Sergeant *Joseph Carson*, Company "G," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., OCTOBER 20, 1870.

GENERAL ORDERS, }
No. 70. }

I...Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, current series, from these Headquarters, and of which Captain JOHN HARTLEY, 22d Infantry, is President, were arraigned and tried:

1st. Private *Eugene H. Lancaster*, Company "C," 22d Inf'y.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Eugene H. Lancaster*, Company 'C,' 22d Infantry, having been duly enlisted in the service of the United States, did desert the same, and did remain absent until apprehended at the Ponca Indian Agency, D. T., on or about the 4th day of June, 1870. This at or near Fort Randall, D. T., on or about the 30th day of May, 1870.

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be dishonorably discharged, with loss of all pay and allowance, except the just dues of the laundress; to have his head shaved; to be indelibly marked with the letter 'D,' on the left hip, in letters one and one half inches in length; and to be confined in such military prison as the Commanding General may direct, for the period of three (3) years."

2. Sergeant *Joseph Carson*, Company "G," 22d Infantry.

CHARGE I.—"Drunkenness on Duty."

Specification.—"In this, that he, Sergeant *Joseph Carson*, Company 'G,' 22d Infantry, having upon the 24th of August, 1870, been regularly detailed and placed upon duty at the public stables of Fort Randall, D. T., did, on the 30th day of August, 1870, and while upon such detail, become drunk and did thereby incapacitate himself to perform his required duties. This at the time and place specified."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Sergeant *Joseph Carson*, Company 'G,' 22d Infantry, having been regularly detailed and placed in charge of the teamsters and laborers at the public stables of Fort Randall, D. T., did, while upon such detail, repeatedly disregard legitimate orders,

and did grossly neglect his duty for three consecutive days, to wit : from the 27th to the 30th days of August, 1870, inclusive."

Specification II.—"In this, that he, Sergeant *Joseph Carson*, Company 'G,' 22d Infantry, having been placed in arrest and close confinement in the company quarters of his company, on account of alleged misconduct, viz: the misconduct alleged in the above specifications, did absent himself from his company quarters without authority or excuse. This at Fort Randall, D. T., on the 7th day of September, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the 1st *Specification*, 2d Charge—"Guilty."

To the 2d *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks, to be confined at hard labor under charge of the guard for the period of six (6) calendar months, with loss of ten (10) dollars per month of his monthly pay for the same period."

II...The proceedings and findings in the foregoing case of Private *Eugene H. Lancaster*, Company "C," 22d Infantry,

are approved. So much of the sentence as requires that the prisoner have his head shaved and be indelibly marked with the letter "D," is remitted. The remainder of the sentence is approved, and will be duly carried into execution. Fort Randall, D. T., is designated as the place of confinement.

The proceedings and findings in the case of Sergeant *Joseph Carson*, Company "G," 22d Infantry, are approved. As the members of the Court are silent with regard to the considerations by which they were influenced in making their recommendation in the prisoner's behalf, it is impossible for the reviewing authority to determine whether their reasons for making the recommendation were sufficient to justify a mitigation of the sentence. No consideration can, therefore, be paid to it. The sentence is approved, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Corporal *Patrick Hanley*, Company "E," 7th Infantry.
 2. Private *Edward Johnson*, Company "L," 2d Cavalry.
 3. Private *Joseph Smith*, Company "L," 2d Cavalry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., OCTOBER 21, 1870.

GENERAL ORDERS, }
No. 71. }

I...Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders, Nos. 124 and 135, current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried :

1st. Corporal *Patrick Hanley*, Company "E," 7th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification.—"In that he, Corporal *Patrick Hanley*, of Company 'E,' 7th U. S. Infantry, having been duly mounted as corporal of the guard, did absent himself from the same without authority, and proceeded beyond the limits of the military reservation to the town of Merrill, U. T., and remained absent until arrested by a file of the guard. This at or near Fort Bridger, U. T., on or about February 20th, 1870."

CHARGE II.—"Drunkenness on Duty."

Specification.—"In that he, Corporal *Patrick Hanley*, of Company 'E,' 7th U. S. Infantry, having been duly mounted as corporal of the guard, did become so drunk as to be unable to perform his duty as corporal of the guard. This at or near Fort Bridger, U. T., on or about the 20th of February, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty," except the words "and proceeded beyond the limits of the Military Reservation to the town of Merrill, U. T., and remained absent until arrested by a file of the guard."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To forfeit to the Government of the United States the sum of \$5.00 (five dollars) of his monthly pay for the period of one month."

2d. Private *Edward Johnson*, Company "L," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Edward Johnson*, Company 'L,' 2d Cavalry, a duly enlisted soldier, did desert the United States service at Carter's Station, W. T., May 18th, 1869, and did remain absent until apprehended at Fort Shaw, M. T., July 20th, 1870."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Edward Johnson*, Company 'L,' 2d Cavalry, did take, steal and carry away, property of the United States, to-wit: one (1) Sharpe's carbine, (calibre 50,) and one (1) Colt's pistol, (calibre 44). All this at Carter's Station, W. T., on or about the 18th day of May, 1869."

To which **CHARGES** and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st **CHARGE**—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d **CHARGE**—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st **CHARGE**—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d **CHARGE**—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are now, or may become due him, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and to be confined at hard labor for one year in such Penitentiary as the Commanding General of the Department of Dakota may direct."

3d. Private *Joseph Smith*, Company "L," 2d Cavalry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Joseph Smith*, Company 'L,' 2d Cavalry, having been duly posted as a sen-

tinel over the picket line of 'L' Company, 2d Cavalry, did grossly neglect his duty as sentinel, and did permit to be taken away and stolen from the picket line, two Government horses. This on the night of the 15th and 16th July, 1870, at or near Cold Spring Rancho, while the command was *en route* to Fort Shaw."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit* him.

11...The proceedings and findings in the case of Corporal *Patrick Hanley*, Company "E," 7th Infantry, are approved. The sentence is approved and will be duly carried into execution.

The proceedings, findings and sentence in the case of Private *Edward Johnson*, Company "L," 2d Cavalry, are disapproved, the Court having improperly allowed so much of the examination of the only witness for the prosecution to be conducted by means of leading questions as to destroy the value of the testimony. The prisoner will be released from confinement and restored to duty.

The proceedings, findings and acquittal in the case of Private *Joseph Smith*, Company "L," 2d Cavalry, are approved. He will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL MANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Alvah T. Ellis*, Company "E," 22d Infantry.
 2. Wagoner *George Bush*, Company "E," 22d Infantry.
 3. Private *John Wallace*, Company "E," 22d Infantry.
 4. Private *Daniel Reid*, Company "E," 22d Infantry.
 5. Musician *William H. Orpwood*, Company "F," 22d Inf'ty.
 6. Private *Morris McCabe*, Company "H," 22d Infantry.
 7. Private *Samuel Tuthill*, Company "H," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 28, 1870.

GENERAL ORDERS, } No. 72.

I...Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders, Nos. 28 and 105, current series, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, were arraigned and tried :

1st. Private *Alvah T. Ellis*, Company "E," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Alvah T. Ellis*, Company 'E,' 22d U. S. Infantry, did enter into a con-

spiracy with one Charles Reider, (a citizen engaged in chopping wood, at 'Painted Woods,' about forty-five (45) miles from Fort Stevenson, D. T.,) against the lives or property, or both, of officers and soldiers of the United States Army, stationed at Fort Stevenson, D. T., and did write two communications, in words as follows:

'Fort Stevenson D. T.,

April 3d, '70.

Friend Reider

I take this opportunity with plesure of sending you a few lines also a cupple of papers which I hope you will recieve this leaves me well I hope it will find you in the injoyment of the same like Health I recieved your letter and was glad to hear from you to know that you had not forgotten what wee wer speaking of when I was at your plase I am glad to know that you are in for putting it threw you will wright and let me know about the time you will come but dont put but do not put your letters in the mail Bag for fear of it being oapened the officers of this post know mee of oald and they might suspect something of the kind and open it give your letter to the mail carrier and tel him to put it in his pocket and bring it to mee I dont know who is going withe the male yeit but the one that hands you my letter you send yours by him. Nothing more.

I remain Your sincier Friend,

A. T. Ellis.

I send you two papers the latest I can get.'

'Fort Stevenson, D. T.,

May 15, '70.

Friend Charles—I recieved letter of the last male and I must say that I do highly apprschuate that new patent Gun you speak of I dont know whither I shall ever Fiar it or not if I do I shal take deliberate aim.

The Paymaster has not arived yeit but he is expected on the next Boat. the Nick Wall pased hear on the 14th she did not stop. Your friend Ball sends his Love to you and sais that it will be well for you to sell your Wood as soon as possible he fears you will have trouble. Write and let mee know how you are and tel mee all about it tel mee what kind of amunition that Gunn requires what Caliber it takes and the quality and the quantity and tell me if it necessary to Buy the Amunition before I recieve the Gunn if so I will have it ready.

Damn

Ellis.

The 2 Companys are small there is onley seventy men hear a small Gunn will be suficient.

All this at or near Fort Stevenson, D. T., on or about the dates specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—" Not Guilty."

To the CHARGE—" Guilty."

FINDING.

Of the *Specification* of the Charge—" Guilty," except the words : "*did enter into a conspiracy with one Charles Reider, (a citizen engaged in chopping wood, at 'Painted Woods,' about forty-five (45) miles from Fort Stevenson, D. T.,) against the lives or property, or both, of officers and soldiers of the United States Army, stationed at Fort Stevenson, D. T.*"

Of the CHARGE—" Guilty."

SENTENCE.

" To forfeit to the United States sixteen dollars of his monthly pay for one month."

2d. Wagoner *George Bush*, Company "E," 22d Infantry.

CHARGE I.—" Desertion."

Specification.—" In this, that he, Wagoner *George Bush*, Company 'E,' 22d Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service at or near Fort Stevenson, D. T., on or about the night of the 27th, or the morning of the 28th day of May, 1870, and did remain absent until on or about the 28th day of May, 1870, when he was ap-

prehended by John Howard and others, at or near Cold Spring, about fifteen miles from Fort Stevenson, D. T., on or near the Fort Totten Trail. All this at or near the places on or about the dates specified.

CHARGE II.—“Larceny, to the prejudice of good order and military discipline.”

Specification.—“In this, that he, Wagoner *George Bush*, Company ‘E,’ 22d U. S. Infantry, did feloniously take, steal, and carry away, with intent to appropriate to his own use and benefit, the following articles of Government property, to wit: One Springfield breech loading rifled musket, valued at fifty dollars and twenty cents (\$50.20); one haversack, valued at sixty-four cents (64c.); one canteen, valued at forty-three cents (43c.); one Colt’s revolver, valued at fifty dollars (\$50); and forty rounds of ammunition (metallic cartridge), valued at 3c. each, one dollar and twenty cents (\$1.20). All this at or near Fort Stevenson, D. T., on or about the night of the 27th or the morning of the 28th of May, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—“Guilty.”

To the 1st CHARGE—“Guilty.”

To the *Specification*, 2d Charge—“Guilty.”

To the 2d CHARGE—“Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“Guilty.”

Of the 1st CHARGE—“Guilty.”

Of the *Specification*, 2d Charge—“Guilty.”

Of the 2d CHARGE—“Guilty.”

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due; to be dishonorably discharged the service of the United States; and to be confined in the State Prison at Stillwater, Minnesota, for three years."

3d. Private *John Wallace*, Company "E," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *John Wallace*, of Company 'E,' 22d U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service, at or near Fort Stevenson, D. T., on or about the night of the 27th, or the morning of the 28th day of May, 1870, when he was apprehended by John Howard and others, at or near Cold Spring, about fifteen (15) miles from Fort Stevenson, D. T., on or near the Fort Totten Trail. All this at or near the places on or about the dates specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John Wallace*, of Company 'E,' 22d U. S. Infantry, did feloniously take, steal, and carry away, with intent to appropriate to his own use and benefit, the following articles of Government property, to wit: One Springfield breech-loading rifled musket, valued at fifty dollars and twenty-six cents (\$50.26); one haversack, valued at sixty-four cents (64c.); one canteen, valued at forty three cents (43c.); and forty rounds of ammunition (metallic cartridge), valued at three cents each, one dollar and twenty cents (\$1.20). All this at or near Fort Stevenson, D. T., on

or about the night of the 27th, or the morning of the 28th May, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty," with the exception of the words "Haversack" and "Canteen."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty," except the word "Canteen."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due; to be dishonorably discharged the service of the United States, and to be confined in the State Prison at Stillwater, Minnesota, for three years."

4th. Private *Daniel Reid*, Company "E," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Daniel Reid*, Company "E," 22d U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service, at or near Fort Stevenson, D. T., on or about the night of the 27th, or the morning of the 28th day of May, 1870, and did remain absent until on or about the 28th day of May, 1870, when he

was apprehended by John Howard and others, near or at Cold Spring, about fifteen (15) miles from Fort Stevenson, D. T., on or near the Fort Totten Trail. All this at or near the places on or about the dates specified."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Daniel Reid*, Company 'E,' 22d U. S. Infantry, did feloniously take, steal, and carry away, with intent to appropriate to his own use and benefit the following articles of Government property, to-wit: One haversack, valued at sixty-four cents (64c.); one canteen, valued at forty-three cents (43c.); and forty rounds of ammunition (metallic cartridge), valued at three cents each, one dollar and twenty cents (\$1.20). All this at or near Fort Stevenson, D. T., on or about the night of the 27th, or the morning of the 28th of May, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty," except the words, "*Forty rounds of ammunition (metallic cartridge).*"

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty," with the exception of the words, "*Forty rounds of ammunition.*"

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

“ To forfeit to the United States all pay and allowances now due or to become due; to be dishonorably discharged the service of the United States; and to be confined in such military prison as the Commanding General may direct, for the period of three years.”

5th. Musician *William H. Orpwood*, Company “F,” 22d Infantry.

CHARGE.—“ Drunkenness on duty, in violation of the 45th Article of War.”

Specification.—“ In this, that he, Musician *William H. Orpwood*, Company ‘F,’ 22d Infantry, having been regularly detailed as drummer of the guard, and duly mounted as such, did become so drunk as to entirely unfit him for the performance of his duties. All this at Fort Stevenson, D. T., on or about the 16th day of June, 1870.”

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—“ Not Guilty.”

To the CHARGE—“ Not Guilty.”

FINDING.

Of the *Specification*—“ Guilty,” except the word “*entirely*.”

Of the CHARGE—“ Guilty.”

SENTENCE.

“ To be placed in solitary confinement, on bread and water diet, for six days.”

6th. Private *Morris McCabe*, Company "H," 22d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, Private *Morris McCabe*, Company "H," 22d Infantry, did present a forged order to the trading establishment of Durfee and Peck for whisky. This at Fort Sully, D. T., on or about the 20th day of June, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty," except the word "*forged*."
To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty," except the word "*forged*," but the Court attaches no criminality thereto.

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

7th. Private *Samuel Tuthill*, Company "H," 22d Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Samuel Tuthill*, Company "H," 22d Infantry, being a member of the guard mounted on the 13th of July, 1870, and having been placed in charge of two prisoners, did allow one of them (Frank Moore, a dishonorably discharged soldier, undergoing sentence of two years' imprisonment for desertion,) to escape. This at Fort Sully, D. T., on or about the 13th day of July, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty," but the Court attaches no criminality thereto.

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

II...The proceedings, findings and sentences in the cases of Private *Alvah T. Ellis*, Company "E," and Musician *William H. Orpwood*, Company "F," 22d Infantry, are approved. The sentences will be duly carried into effect.

The proceedings, findings and sentences in the cases of Wagoner *George Bush* and Private *John Wallace*, Company "E," 22d Infantry, are approved. The sentences will be duly carried into execution.

The proceedings, findings and sentence in the case of Private *Daniel Reid*, Company "E," 22d Infantry, are approved. The sentence will be duly carried into execution at Fort Sully, D. T., which is designated as the place of confinement.

The proceedings and findings in the cases of Privates *Morris McCabe* and *Samuel Tuthill*, Company "H," 22d Infantry, are approved. They will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Private *Erastus F. Collins*, Company "G," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 29, 1870.

GENERAL ORDERS, {
No. 73. }

I...Before a General Court Martial, which convened at Fort Ripley, Minn., by virtue of Special Orders No. 178, current series, from these Headquarters, and of which Major J. F. HEAD, Surgeon, U. S. Army, is President, was arraigned and tried :

Private *Erastus F. Collins*, Company "G," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *Erastus F. Collins*, Company "G," 20th Infantry, being on duty as Hospital cook, did permit Private George W. Rose, Company 'G,' 20th Infantry, to enter the hospital kitchen after tattoo; and did engage in a drunken carousal with said Rose, which resulted in the destruction of the Post Hospital by fire. This at Fort Ripley, Minn., on or about the 20th of July, 1870."

Specification II.—"In this, that he, Private *Erastus F. Collins* Company 'G,' 20th Infantry, did become so drunk as to be unable to perform his duties as a soldier. This at Fort Ripley, Minn., on or about the 20th of July, 1870."

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Not Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

II...The proceedings and findings are approved. Private *Collins* will be released from confinement and restored to duty.

III...The General Court Martial, which convened at Fort Ripley, Minn., by virtue of Special Orders No. 178, current series, from these Headquarters, and of which Major J. F. HEAD, Surgeon, U. S. A., is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 30, 1870.

GENERAL ORDERS, } No. 74. }

General Orders, No. 21, series of 1868, from these Headquarters, defining the military reservation of Fort Buford, D. T., are hereby amended, as follows: Subject to the approval of the proper authorities, the public lands enclosed by the hereinafter described survey, made by Captain D. P. HEAP, Chief Engineer of the Department of Dakota, are hereby reserved to the United States for military purposes, and are declared to be the Military Reservation of Fort Buford, D. T.

The flag staff is the initial point. The point of commencement is on the north bank of the Missouri River, near Old Fort Union, and is two (2) miles and fourteen hundred (1,400) feet west, and five thousand two hundred (5,200) feet north of the flag staff. The boundary line runs thence due north fourteen hundred and thirty-six (1,436) feet; thence due east six (6) miles; thence north sixty-five (65) degrees east, three (3) miles three thousand three hundred and ten (3,310) feet; thence due south to the south bank of the Missouri River; thence south, sixty-six degrees west, to the mouth of the Yellowstone River; thence due west to the intersection of the line drawn due south from the point of commencement.

The Commanding Officer of Fort Buford will cause *to be replaced* the stakes placed by Captain HEAP, in making the above survey, by posts seven (7) feet long and six (6) inches square, to project four (4) feet above the ground, to be painted white with a black top; and the posts at the angles will be marked with the cardinal points of the compass.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., OCTOBER 31, 1870.

GENERAL ORDERS,)
No. 75.)

General Orders No. 19, series of 1868, from these Headquarters, defining the military reservation of Fort Stevenson, D. T., are hereby amended as follows: Subject to the approval of the proper authorities, the public lands enclosed by the hereinafter described survey, made by Captain D. P. HEAP, Chief Engineer Department of Dakota, are hereby reserved to the United States for military purposes, and are declared to be the Military Reservation of Fort Stevenson, D. T.

The flag staff is the initial point. The south-west corner is on the south bank of the Missouri river, two (2) miles four hundred and twenty (420) feet south, and four (4) miles two thousand and five hundred (2,500) feet west of the flag staff. From this point the boundary line runs due north four (4) miles four hundred and twenty (420) feet; thence due east twelve (12) miles; thence due south to the west bank of Snake river; thence along the west bank of Snake river to the centre of the channel of the Missouri river; thence down the centre of the channel of the Missouri river, to the point due east of the south-west corner; thence to the south-west corner.

The Commanding Officer of Fort Stevenson will cause *to be replaced* the stakes placed by Captain HEAP in making the above survey, by posts seven (7) feet long and six (6) inches square, to project four (4) feet above the ground, to be painted white with a black top, and the posts at the angles will be marked with the cardinal points of the compass.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *William James*, Company "G," 22d Infantry.
 2. Musician *John B. Moore*, Company "G," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., NOVEMBER 2, 1870.

GENERAL ORDERS,)
No. 76.)

I... Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, current series, from these Headquarters, and of which Captain JOHN HARTLEY, 22d Infantry, is President, were arraigned and tried :

1st. Private *William James*, Company "G," 22d Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, *William James*, a duly enlisted soldier in the service of the United States, and a private of 'G' Company, 22d Infantry, did present at the store of the post trader, Fort Randall, D. T., an order for one (1) bottle of "gin cocktail," which order purported to have been signed by Captain Joseph Bush, 22d Infantry, commanding post. He, the said Private *James*,

well knowing that the name of Captain Joseph Bush appearing on the order, was a forgery. This at Fort Randall, D. T., on or about the 17th day of September, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty,"

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty," excepting the words : "*well knowing that the name of Captain Joseph Bush appearing on the order was a forgery.*"

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

2d. Musician *John B. Moore*, Company "G," 22d Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, *John B. Moore*, a duly enlisted soldier in the service of the United States, and a musician of Company "G," 22d Infantry, did forge the signature of the Commanding Officer of the post, Captain Joseph Bush, to an order on the post trader for liquor, which order was in words and figures as follows, to wit :

'FORT RANDALL, D. T.,
September 17th, 1870.

MR. HAMILTON :

Please let the bearer have one bottle of gin cocktail.

Approved,

JOSEPH BUSH,

Capt. 22d Infantry,

Com'dg Post.'

This at Fort Randall, D. T., on or about the 17th day of September, 1870."

Specification II.—"In this, that he, Musician *John B. Moore*, Company 'G,' 22d Infantry, did forge the signature of Captain Joseph Bush, 22d Infantry, commanding the post at Fort Randall, D. T., to an order on Mr. Hamilton, post trader, for liquor, and did induce another person or persons to present said order at the store of the post trader and endeavor to obtain liquor on the same. This at Fort Randall, D. T., on or about the 17th day of September, 1870."

To which CHARGE and *Specifications* the accused pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor under charge of the post guard where his company may be serving, for six months, and to forfeit to the United States five (5) dollars of his monthly pay for the same period."

II...The proceedings, findings and acquittal, in the foregoing case of Private *William James*, Company "G," 22d Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings and findings in the case of Musician *John B. Moore*, Company "G," 22d Infantry, are approved. The sentence is approved, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Charles Warren*, Company "E," 22d Infantry.
 2. Private *Andrew Arnold*, Company "F," 22d Infantry.
 3. Private *Emil Plank*, Company "F," 22d Infantry.
 4. Private *William Handley*, Company "B," 17th Inf'ty.
 5. Sergeant *Henry Wahl*, Company "C," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA, ST. PAUL, MINN., NOVEMBER 3, 1870.

GENERAL ORDERS, { No. 77. }

I...Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders, No. 165, current series, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, were arraigned and tried:

1st. Private *Charles Warren*, Company "E," 22d Infantry.

CHARGE.—"Sleeping on post, in violation of the 46th Article of War."

Specification.—"In this, that he, Private *Charles Warren*, Company 'E,' 22d Infantry, having been duly detailed as a member of the post guard, on the 1st day of September, 1870, and posted as a sentinel in front of the post guard-house, did quit his arms and sleep on his post until found and awakened by 2d Lieutenant *James E. Macklin*, 22d

Infantry, officer of the day, between the hours of two and four on the morning of the second day of September, 1870. All this at Fort Sully, D. T., on the 2d day of September, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States eight dollars (\$8.00) of his monthly pay for eight (8) months, and to be confined in charge of the guard for the same period."

2d. Private *Andrew Arnold*, Company "F," 22d Infantry.

CHARGE—"Neglect of Duty."

Specification.—"In this, that he, Private *Andrew Arnold*, Company 'F,' 22d U. S. Infantry, having been duly posted as a sentinel over prisoners, did allow two of the said prisoners, (Privates John Keller and Charles G. Stevens, Company "E," 22d Infantry,) to escape. This at Fort Sully, D. T., on or about August 27th, 1870."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, but attach no criminality thereto."

Of the *CHARGE*—"Not Guilty."

And the Court does therefore *acquit him*.

3d. Private *Emil Plank*, Company "F," 22d Infantry.

CHARGE I.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Emil Plank*, a private of Company 'F,' 22d U. S. Infantry, did, while on duty as a member of the post guard, having been duly detailed and mounted as such, so far neglect his duty as to permit Private William Miller, Company 'F,' 22d U. S. Infantry, a prisoner in his charge, to escape. All this at or near Fort Sully, D. T., on or about the 31st day of August, 1870."

CHARGE II.—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Emil Plank*, a private of Company 'F,' 22d U. S. Infantry, did, while on duty as a member of the post guard, after having been placed in charge of prisoners by the Sergeant of the guard, with instructions not to take his eyes from them, or permit them to separate or converse with other persons, disregard his instructions and enter a house, where he remained several minutes, leaving prisoner Private William Miller, Company 'F,' 22d U. S. Infantry, outside of the same, at which time the prisoner made his escape. All this at or near Fort Sully, D. T., on or about the 31st day of August, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—" Not Guilty."

To the 1st CHARGE—" Not Guilty."

To the *Specification*, 2d Charge—" Not Guilty."

To the 2d CHARGE—" Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty, but attach no criminality thereto."

Of the 1st CHARGE—" Not Guilty."

Of the *Specification*, 2d Charge—" Guilty."

Of the 2d CHARGE—" Guilty."

SENTENCE.

" To forfeit to the United States eight dollars (\$8.00) of his monthly pay for six (6) months, and to be confined in charge of the guard for the same period."

4th. Private *William Handley*, Company " B," 17th Infantry.

CHARGE—" Violation of the 46th Article of War."

Specification.—" In this, that Private *William Handley*, Company ' B,' 17th Infantry, having been regularly posted as a sentinel at the post of Raleigh, Raleigh, N. C., on the 19th of March, 1870, was found asleep on his post between the hours of 1.30 A. M. and 2.30 A. M., on the night of March 19th, 1870. All this at post of Raleigh, Raleigh, N. C., on or about 19th of March, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

5th. Sergeant *Henry Wahl*, Company "C," 17th Infantry.

CHARGE—"Disobedience of orders, in violation of the ninth Article of War."

Specification.—"In this, that the said Sergeant *Henry Wahl*, of Company 'C,' 17th Infantry, upon receiving an order from his Commanding Officer, Captain Edward P. Pearson, Jr., 17th Infantry, to resume his duties as sawyer at the saw-mill, did positively refuse to obey said order. This at or near the Cheyenne Agency, Dakota Territory, on or about the third day of August, 1870.

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay now due or to become due, and to be dishonorably discharged and drummed out of the service of the United States."

H...In the case of Private *Charles Warren*, Company "E," 22d Infantry, the proceedings, findings and sentence, are approved, but upon the recommendation of all the members of the Court, and in consideration of his youth and previous good character, the sentence is mitigated to a forfeiture of eight dollars (\$8.) per month of his monthly pay for three (3) months. As thus mitigated, the sentence will be duly carried into execution. Private *Warren* will be released from confinement and restored to duty.

The proceedings, findings and acquittals in the foregoing cases of Privates *Andrew Arnold*, Company "F," 22d Infantry, and *William Handley*, Company "B," 17th Infantry, are approved. They will be released from confinement and restored to duty.

The proceedings, findings and sentence in the case of Private *Emil Plank*, Company "F," 22d Infantry, are approved, but, upon the recommendation of part of the members of the Court, the sentence is remitted. He will be released from confinement and restored to duty.

In the case of Sergeant *Henry Wahl*, Company "C," 17th Infantry, the proceedings and findings are approved. The sentence is approved, and will be duly carried into execution, except so much thereof as requires that the prisoner be drummed out of the service, which is remitted.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *James Gass*, Company "C," 7th Infantry.
 2. Recruit *Isaac Hazlett*, 7th Infantry.
 3. Private *John Ferris*, Company "B," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., NOVEMBER 4, 1870.

GENERAL ORDERS, { No. 78 }

I...Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders, Nos. 124, extract III., and 135, extract II. and III., current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried:

1st. Private *James Gass*, Company "C," 7th Infantry.

CHARGE.—"Quitting his guard."

Specification.—"In this, that he, Private *James Gass*, Company 'C,' 7th Infantry, did, after having been regularly detailed on the 'herd guard,' and placed on duty with the same, quit it without urgent necessity, after having been told that he could not leave it, and did remain absent until found (five miles away) and brought back by a patrol. This at Fort Shaw, M. T., August 27th, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty," with the exception of the words, "*until found (five miles away) and brought back by a patrol.*"

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, for thirty days, and to forfeit to the United States Government fifteen dollars (\$15.00) of his monthly pay for the same period."

2d. Recruit *Isaac Hazlett*, 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In that Recruit *Isaac Hazlett*, 7th U. S. Infantry, unassigned, a duly enlisted soldier in the service of the United States, did desert the same while on the march from Corinne, Utah Territory, to Fort Shaw, Montana Territory, on or about the twenty-fifth day of July, 1870, and remained absent until captured and brought back to camp on the twenty-sixth day of July, 1870. This at or near camp, in the vicinity of Malade City, Idaho Territory, on or about the dates above specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now or to become due, except the just dues of the laundress; to be confined at hard labor in charge of the guard for one year; and then to be dishonorably discharged from the service of the United States."

3d. Private *John Ferris*, Company "B," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *John Ferris*, Company 'B,' 7th Infantry, did create a disturbance in the mess-room of his Company, and unprovokingly strike the Cook, Private *William Molchert*, and otherwise attempt to incite discord and general dissatisfaction among the men. This at Fort Shaw, M. T., between the hours of 5 and 6 o'clock P. M., on the 26th day of August, 1870."

Specification II.—"In this, that he, Private *John Ferris*, Company 'B,' 7th Infantry, when ordered by his 1st Sergeant, *Michael Sauls*, to cease his noise, did use very disrespectful language toward him, and did strike and otherwise abuse the said 1st Sergeant, *Michael Sauls*, until arrested by Sergeant *William Angle*, Company 'B,' 7th Infantry. This at Fort Shaw, Montana Territory, between the hours of 5 and 6 o'clock P. M., on the 26th day of August, 1870."

To which *CHARGE* and *Specifications* the accused pleaded as follows:

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty," except the words, "*and unprovokingly strike the Cook, Private William Molchert, and otherwise attempt to incite discord and general dissatisfaction among the men.*"

Of the 2d *Specification*—"Not Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States Government five dollars (\$5) of his monthly pay for the period of one month."

II...The proceedings and findings in the foregoing cases of Privates *James Gass*, Company "C," *John Ferris*, Company "B," and Recruit *Isaac Hazlett*, unassigned, 7th Infantry, are approved. The sentences are approved, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Patrick Hanley*, Company "E," 7th Infantry.
 2. Private *Charles Bullard*, Company "E," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., NOVEMBER 7, 1870.

GENERAL ORDERS, {
No. 79. }

I...Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders, Nos. 124, extract III., and 135, extract II. and III., current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried:

1st. Private *Patrick Hanley*, Company "E," 7th Infantry.

CHARGE 1.—"Violation of the 46th Article of War."

Specification —"In this, that Private *Patrick Hanley*, Company 'E,' 7th Infantry, a member of the post guard, Fort Benton, M. T., and duly posted as a sentinel over Government stores, on the wharf, near the City of Benton, M. T., with instructions not to allow any of said stores to be disturbed or carried away, without orders from proper authority, did quit and leave his post before he was properly relieved. All this at or near Fort Benton, M. T., on or about the 23d day of June, 1870."

CHARGE II.—“Conduct prejudicial to good order and military discipline.”

Specification.—“In this, that Private *Patrick Hanley*, Company ‘E,’ 7th Infantry, having been duly posted as a sentinel over Government stores on the wharf, near the City of Benton, M. T., did quit and leave his post before he was properly relieved, and publicly expose and offer for sale certain Government stores which were placed under his charge, as a sentinel, for safe keeping. All this at or near Fort Benton, M. T., on or about the 23d day of June, 1870.”

CHARGE III.—“Violation of the 45th Article of War.”

Specification.—“In this, that Private *Patrick Hanley*, Company ‘E,’ 7th Infantry, having been duly mounted as a member of the post guard, Fort Benton, M. T., and posted as a sentinel over Government stores, near the City of Benton, M. T., did become so much intoxicated as to be unable to perform his duties properly. All this at or near Fort Benton, M. T., on or about the 23d day of June, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—“Not Guilty.”

To the 1st CHARGE—“Not Guilty.”

To the *Specification*, 2d Charge—“Not Guilty.”

To the 2d CHARGE—“Not Guilty.”

To the *Specification*, 3d Charge—“Not Guilty.”

To the 3d CHARGE—“Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“Not Guilty.”

Of the 1st CHARGE—“Not Guilty.”

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

Of the *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, at the post where his company may be serving, for the period of three (3) months."

2d. Private *Charles Bullard*, Company "E," 7th Infantry.

CHARGE I.—"Quitting his guard."

Specification.—"In this, that he, Private *Charles Bullard*, Company 'E,' 7th Infantry, having been sent out to assist in guarding the public animals belonging to the Quartermaster's Department, at Fort Benton, M. T., with instructions, while the animals were grazing, not to leave the herd, except to bring back animals which might stray from it, did, without permission from proper authority, leave the herd and did not return to it. All this at or near Fort Benton, M. T., on or about 1st September, 1870."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Charles Bullard*, Company 'E,' 7th Infantry, having been sent out to assist in herding public animals belonging to the Quartermaster's Department at Fort Benton, M. T., did, without permission from proper authority, leave said herd, and did not return to it. All this at or near Fort Benton, M. T., on or about 1st of September, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States Government four dollars (\$4) per month of his monthly pay, for the period of twelve months."

II...The proceedings, findings and sentences in the foregoing cases of Privates *Patrick Hanley* and *Charles Bullard*, Company "E," 7th Infantry, are approved. The sentences will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Billy Brady*, Company "K," 17th Infantry.
 2. Private *Daniel O'Leary*, Company "G," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., NOVEMBER 8, 1870.

GENERAL ORDERS, }
No. 80. }

I...Before a General Court Martial, which convened at Fort Rice, D. T., by virtue of Special Orders, No. 164, current series, from these Headquarters, and of which Colonel THOMAS L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried:

1st. Private *Billy Brady*, Company "K," 17th Infantry.

CHARGE.—" Violation of the 50th Article of War."

Specification.—" In this, that Private *Billy Brady*, Company 'K,' 17th Infantry, being a member of the guard mounted at Camp Grant, Va., April 1st, 1870, and detailed at No. 1 Police Station, in the City of Richmond, Va., did quit his guard without permission or urgent necessity, between the hours of 10 and 11 o'clock P. M., April 1st, 1870, and did remain absent until about 1 o'clock A. M., April 2d, 1870. This at Richmond, Va., on or about the time specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States eight (8) dollars of his monthly pay per month, for the period of two months."

2d. Private *Daniel O'Leary*, Company "G," 17th Infantry.

CHARGE—"Disobedience of orders."

Specification.—"In this, that Private *Daniel O'Leary*, Company 'G,' 17th U. S. Infantry, having been duly detailed for fatigue, and when ordered by his Company Commander, Brevet Major L. H. Sanger, Captain 17th Infantry, to work on the garden in course of formation for the benefit of the enlisted men of said Company 'G,' 17th Infantry, did positively and willfully disobey said order, saying he 'was no slave, and no man could make a damned slave of him,' or words to that effect. All this at Camp Grant, Va., on or about the 22d day of April, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States eight (8) dollars of his monthly pay per month, for the period of two months. The Court is thus lenient because of the previous good character of the prisoner, and because, having been restored to duty for near five months, he has during that time performed his duties well."

II...The proceedings and findings in the foregoing cases of Privates *Billy Brady*, Company "K," and *Daniel O'Leary*, Company "G," 17th Infantry, are approved. The sentences are approved, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS DEPARTMENT OF DAKOTA.

ST. PAUL, MINN., NOVEMBER 11, 1870.

GENERAL ORDERS,)
No. 81.)

I...In accordance with orders from Headquarters of the Army, Adjutant General's office, Major ABSALOM BAIRD, Assistant Inspector General U. S. A., is hereby relieved from duty as Inspector General of this Department, and will proceed to comply with his orders to report to the Commanding General Military Division of the South.

II...Captain HENRY CLAYTON, 17th Infantry, is hereby announced as Acting Assistant Inspector General of the Department. He will be obeyed and respected accordingly.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

NO JAMES

1000/1000

James

1000/1000

G. C. M.

1. Private *Charles B. Deitz*, Company "I," 22d Infantry.
 2. Private *Alvis Marley*, Company "F," 17th Infantry.
 3. Private *Lewis Fest*, Company "F," 17th Infantry.
 4. Private *Barney Painter*, Company "F," 17th Infantry.
 5. Private *George A. Boyd*, Company "F," 17th Infantry.
 6. Private *William Ingraham*, Company "F," 17th Inf'ty.
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HEADQUARTERS, DEPARTMENT OF DAKOTA, ST. PAUL, MINN., NOVEMBER 12, 1870.

GENERAL ORDERS, { No. 82. }

I...Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders, No. 165, current series, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, were arraigned and tried:

1st. Private *Charles B. Deitz*, Company "I," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Charles B. Deitz*, Company 'I,' 22d Infantry, a duly enlisted soldier in the service of the United States, did, on or about the 11th day of August, 1870, after having been duly detailed as a member of the guard at the steamboat landing, absent himself from and desert the said service at or near

Fort Sully, D. T., and did remain absent until apprehended at or near Camp Crow Creek Agency, D. T., on or about the 15th day of August, 1870.

CHARGE II.—“Larceny, to the prejudice of good order and military discipline.”

Specification.—“In this, that he, Private *Charles B. Deitz*, Company ‘I,’ 22d Infantry, did, on or about the 11th day of August, 1870, feloniously take, steal, carry away, and appropriate to his own use one (1) Springfield breech-loading rifled musket, (model of 1866) and one (1) set of Infantry accoutrements valued at seventeen dollars fifty-two cents (\$17.52), the same being the property of the United States. All this at or near Fort Sully, D. T., on or about the date above specified.

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—“Not Guilty.”

To the 1st CHARGE—“Not Guilty.”

To the *Specification*, 2d Charge—“Not Guilty.”

To the 2d CHARGE—“Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“Guilty.”

Of the 1st CHARGE—“Guilty.”

Of the *Specification*, 2d Charge—“Guilty.”

Of the 2d CHARGE—“Guilty.”

SENTENCE.

“To forfeit all pay and allowances now due or which may become due; to be dishonorably discharged the service of the United States, and to be confined in the State Prison at Stillwater, Minnesota, for the term of four (4) years.”

2d. Private *Alvis Marley*, Company "F," 17th Infantry.

CHARGE I.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Alvis Marley*, Company 'F,' 17th Infantry, did, in company with Privates Jesse Blevans, George A. Boyd, Louis Fest, William Inghram, and Thornton Plotner, all of Company "F," 17th Infantry, feloniously take, steal and convey away one (1) small boat, the property of James D. Saddler, Hospital Steward U. S. A., to enable them to desert the service of the United States. All this at or near Grand River Agency, Dakota Territory, on or about the 3d day of August, 1870."

CHARGE II.—"Desertion."

Specification.—"In this, that he, Private *Alvis Marley*, Company 'F,' 17th Infantry, having been regularly enlisted as a soldier in the army of the United States, and having drawn rations, clothing, and pay as such, did desert his Company 'F,' 17th Infantry, U. S. A., and the service of the United States, on or about the 3d day of August, 1870, at Grand River Agency, Dakota Territory, and did remain absent therefrom until apprehended near Cheyenne Agency, Dakota Territory, on or about the 6th day of August, 1870. Thirty dollars (\$30.00) paid for his apprehension. All this at the places and dates above specified."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Not Guilty."

Of the 1st CHARGE—"Not Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay now due or to become due; to be dishonorably discharged the service of the United States, and confined in such military prison as the Commanding General may direct, for the period of four (4) years, wearing a ball and chain attached to his left leg weighing twenty (20) pounds."

3d. Private *Lewis Fest*, Company "F," 17th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *Lewis Fest*, Company 'F,' 17th Infantry, having been regularly enlisted as a soldier in the army of the United States, and having drawn rations, clothing and pay as such, did desert his Company 'F,' 17th Infantry, U. S. A., and the service of the United States, on or about the 3d day of August, 1870, at Grand River Agency, Dakota Territory; and did remain absent therefrom until apprehended about twelve miles east of Cheyenne Agency, Dakota Territory, on or about the 5th day of August, 1870. Thirty dollars (\$30.00) paid for his apprehension. All this at the places and dates above specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States all pay now due or to become due; to be dishonorably discharged the service of the United States, and confined in such military prison as the Commanding General may direct, for the period of four (4) years, wearing a ball and chain attached to his left leg weighing twenty (20) pounds."

4th. Private *Barney Painter*, Company "F," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Barney Painter*, Company 'F,' 17th U. S. Infantry, having been regularly enlisted as a soldier in the army of the United States, and having drawn rations, clothing, and pay as such, did desert from his Company on or about the 10th day of June, 1870, at Grand River Agency, Dakota Territory, and did remain absent therefrom until apprehended at Medicine Creek, Dakota Territory, on or about the 13th day of June, 1870. Thirty dollars paid for apprehension."

To which *CHARGE* and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States all pay now due or to become due; to be dishonorably discharged the service of the United States, and to be confined in such military prison as the Commanding General may direct, for the period of four (4) years, wearing a ball and chain attached to his left leg weighing twenty (20) pounds."

5th. Private *George A. Boyd*, Company "F," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *George A. Boyd*, Company 'F,' 17th Infantry, having been regularly enlisted as a soldier in the army of the United States, and having drawn rations, clothing, and pay as such, did desert from his Company 'F,' 17th Infantry, U. S. A., and the service of the United States, on or about the 3d day of August, 1870, at Grand River Agency, Dakota Territory, and did remain absent therefrom until apprehended about twelve miles east of Cheyenne Agency, Dakota Territory, on or about the 5th day of August, 1870. Thirty dollars (30.00) paid for his apprehension. All this at the places and dates above specified."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances for one

(1) year, and to be confined at hard labor, in charge of the guard, for the same period."

The Court is thus lenient in view of the youth and inexperience of the accused.

6th. Private *William Ingraham*, Company "F," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *William Ingraham*, Company 'F,' 17th Infantry, having been regularly enlisted as a soldier in the army of the United States, and having drawn rations, clothing, and pay as such, did desert his Company 'F,' 17th Infantry, U. S. A., and the service of the United States, on or about the 3d day of August, 1870, at Grand River Agency, Dakota Territory, and did remain absent therefrom until apprehended about twelve miles east of Cheyenne Agency, Dakota Territory, on or about the 5th day of August, 1870. Thirty dollars (\$30.00) paid for his apprehension. All this at the places and dates above specified."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due him; to be dishonorably discharged and

drummed out of the service and confined at hard labor in such military prison as the Commanding General may direct, for three (3) years."

11..The proceedings, findings and sentence in the case of Private *Charles B. Deitz*, Company "I," 221 Infantry, are approved. The sentence will be duly carried into execution.

The proceedings, findings and sentences in the cases of Privates *Alvis Marley*, *Lewis Pest*, *Barney Painter* and *William Ingraham*, Company "F," 17th U. S. Infantry, are approved. The sentences will be duly carried into execution at Fort Sully, D. T., which is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *George A. Boyd*, Company "F," 17th Infantry, are approved. The sentence will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Corporal *John Lane*, Company "I," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., NOVEMBER 13, 1870.

GENERAL ORDERS, }
No. 83. }

I... Before a General Court Martial, which convened at Fort Pembina, (late Fort George H. Thomas,) D. T., by virtue of Special Orders No. 149, current series, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, was arraigned and tried :

Corporal *John Lane*, Company "I," 20th Infantry.

CHARGE.—“Conduct prejudicial to good order and military discipline.”

Specification.—“In this, that he, *John Lane*, Corporal Company 'I,' 20th Infantry, having been notified that he was detailed for duty as a corporal of the police guard, and ordered by the 1st Sergeant of his Company to report for such duty to the officer of the day, did refuse to perform such duty, and did say to 1st Sergeant Charles Brown, Company 'I,' 20th Infantry : ‘I will not go upon duty as a corporal, nor perform such duty in my company,’ or words to that effect. This at Fort George H. Thomas.

near Pembina, Dakota Territory, on or about the 3d day of September, 1870."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the grade of a private soldier, and to forfeit to the United States ten dollars (\$10.00) of his monthly pay per month, for the period of six (6) months."

II... The proceedings and findings in the foregoing case are approved. The sentence is approved, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Sergeant *Arthur McKnight*, Company "E," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., NOVEMBER 14, 1870.

GENERAL ORDERS, { No. 84. }

I...Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders, Nos. 159 and 198, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, was arraigned and tried :

Sergeant *Arthur McKnight*, Company "E," 20th Infantry.

CHARGE I.—"Violation of the 50th Article of War."

Specification.—"In this, that Sergeant *Arthur McKnight*, Company 'E,' 20th Infantry, having been duly mounted as sergeant of the guard, did quit his guard without any necessity therefor, and without the leave of his superior officer, and go to his Company quarters. This at Fort Snelling, Minn., October 26th, 1870."

CHARGE II.—"Violation of the 45th Article of War."

Specification.—"In this, that Sergeant *Arthur McKnight*, Company 'E,' 20th Infantry, having been duly mounted as sergeant of the guard, did become so drunk as to be unfit to perform the duties of a soldier. This at Fort Snelling, Minn., October 26th, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."
 To the 1st CHARGE—"Not Guilty."
 To the *Specification*, 2d Charge—"Not Guilty."
 To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty of the facts as set forth, but attach no criminality thereto."

Of the 1st CHARGE—"Not Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

II...The proceedings, findings and acquittal are approved. The prisoner will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., NOVEMBER 21, 1870.

GENERAL ORDERS, }
No. 85. }

For the proper execution in this Military Department of the provisions of Section 22 of the Act of Congress entitled, "An Act making appropriations for the support of the army, for the year ending June thirty, eighteen hundred and seventy-one, and for other purposes," approved July 15, 1870, it is hereby ordered that whenever a trader, duly appointed in accordance with the above mentioned section of the Act, shall arrive at the post for which he is appointed, and signifies his readiness to enter upon his duties, the licenses of all other traders, by whatever authority given to trade on that Reservation, will cease, and thereafter no other than the lawfully appointed trader will be permitted to trade or reside thereupon.

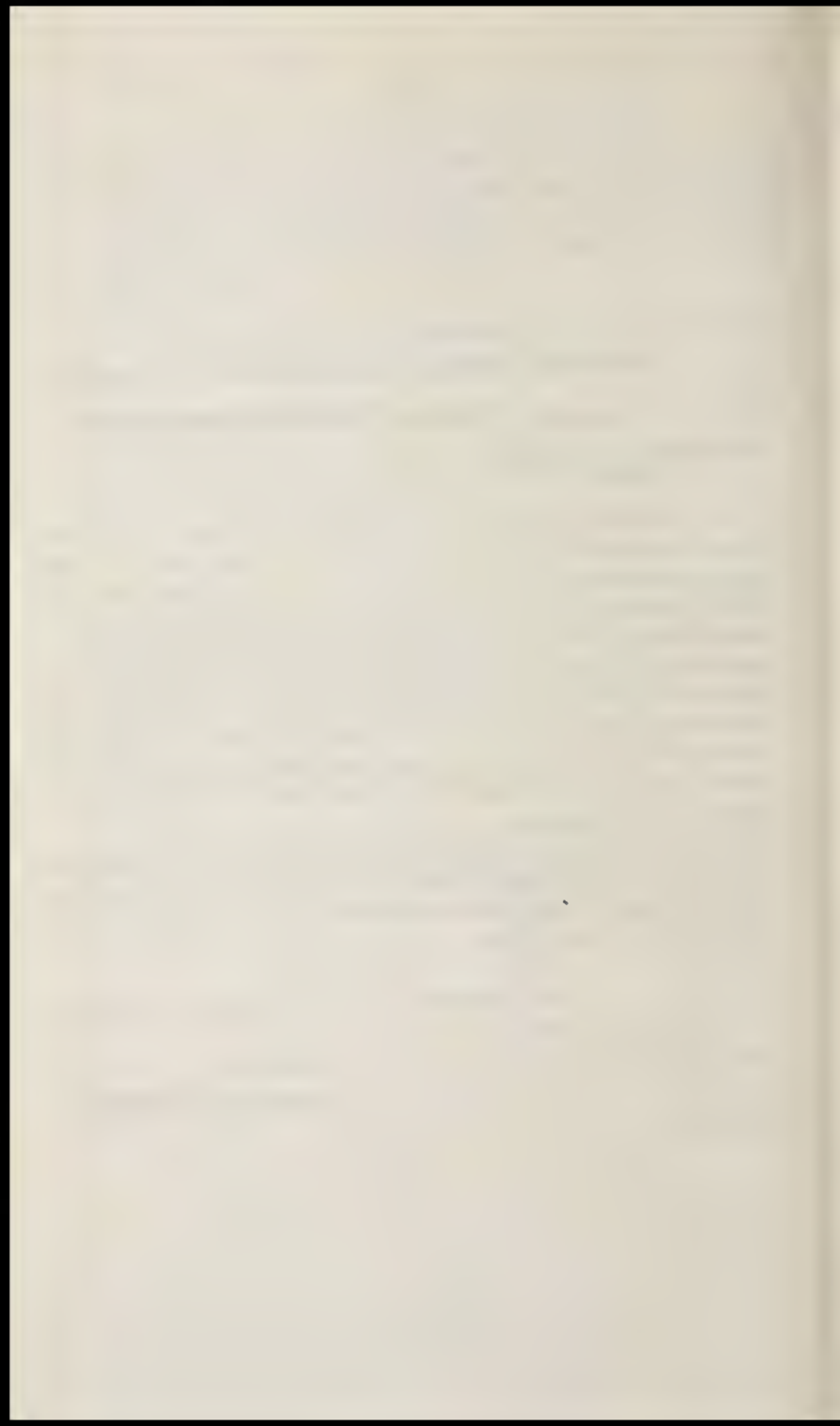
The Commanding Officer of the post at which any duly appointed trader shall report his arrival, will at once report the fact to these Headquarters, together with the action taken by him in accordance with the requirements of these orders.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Private *George Kelley*, Company "K," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., NOVEMBER 22, 1870.

GENERAL ORDERS,)
No. 86.)

I... Before a General Court Martial, which convened at Fort Pembina, D. T., (late Fort George H. Thomas,) by virtue of Special Orders No. 149, Ex. II., current series, from these Headquarters, and of which Captain **LOYD WHEATON**, 20th Infantry, is President, was arraigned and tried :

Private *George Kelley*, Company "K," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *George Kelley*, Company 'K,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, and did remain absent until apprehended and returned under guard. This at or near Fort Pembina, D. T., on or about the 23d and 24th days of September, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."
 To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."
 Of the *CHARGE*—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due or that may become due, and to be confined at hard labor in such military prison as the Commanding General may direct, for the period of three (3) years."

11...The proceedings, findings and sentence in the case of Private *George Kelley*, Company "K," 20th Infantry, are approved. The sentence will be duly carried into execution at Fort Pembina, D. T., which is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Peter D. Cole*, Company "F," 7th Infantry.
 2. Private *William H. Batdorf*, Company "F," 7th Infantry
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., NOVEMBER 23, 1870.

GENERAL ORDERS, }
No. 87. }

...Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders, No. 112, Ex. II., current series, from these Headquarters, and of which Lieut. Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:

1st. Private *Peter D. Cole*, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Peter D. Cole*, Company 'F,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the same, at Fort Buford, D. T., on or about the night of the 9th day of July, 1870, and did remain absent therefrom until apprehended at or near Fort Stevenson, D. T., on or about the 15th day of July, 1870. All this on or about the times and places specified."

CHARGE II.—“ Theft, to the prejudice of good order and military discipline.”

Specification 1.—“ In this, that he, Private *Peter D. Cole*, Company ‘F,’ 7th Infantry, did feloniously take, steal, and carry away the following named property of the United States, viz.: One (1) Springfield breech loading rifled musket and forty (40) rounds of ammunition, with a view to protect himself against the Indians, while deserting the service of the United States. All this at Fort Buford, D. T., on or about the 9th day of July, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—“ Guilty.”

To the 1st CHARGE—“ Guilty.”

To the *Specification*, 2d Charge—“ Guilty.”

To the 2d CHARGE—“ Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“ Guilty.”

Of the 1st CHARGE—“ Guilty.”

Of the *Specification*, 2d Charge—“ Guilty.”

Of the 2d CHARGE—“ Guilty.”

SENTENCE.

“ To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress and company tailor; to have the letter ‘D,’ two inches long, indelibly marked upon his left hip; to be drummed out of and dishonorably discharged the service of the United States; and then to be confined for the period of two years in such military prison as the Commanding General may designate.”

2d. Private *William E. Batdorf*, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *William E. Batdorf*, Company 'F,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the same, at Fort Buford, D. T., on or about the night of the 9th day of July, 1870, and did remain absent therefrom until apprehended at or near Fort Stevenson, D. T., on or about the 15th day of July, 1870. All this on or about the times and at the places specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *William E. Batdorf*, Company 'F,' 7th U. S. Infantry, did feloniously take, steal, and carry away the following named property of the United States, viz.: One (1) Springfield breech loading rifled musket and forty (40) rounds of ammunition. All this at Fort Buford, D. T., on or about the 9th day of July, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress and company tailor; to have the letter 'D,' two inches long, indelibly marked upon his left hip; to be drummed out of and dishonorably discharged the service of the United States, and then to be confined for the period of two years in such military prison as the Commanding General may designate."

II..The proceedings and findings in the cases of Privates *Peter D. Cole* and *William E. Batdorf*, Company "F," 7th Infantry, are approved. The sentences are approved, except so much as requires that the prisoners be indelibly marked with the letter "D," two inches long, on the left hip, which is remitted. The remainder of the sentences is approved, and will be duly carried into execution at Fort Buford, D. T., which is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Private *James Brown*, Company "E," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., NOVEMBER 24, 1870.

GENERAL ORDERS, } No. 88. }

I...Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders, No. 165, current series, from these Headquarters, and of which Colonel *DAVID S. STANLEY*, 22d Infantry, is President, was arraigned and tried:

Private *James Brown*, Company "E," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"That Private *James Brown*, Company 'E,' 22d Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 15th day of September, 1870, and did remain absent until apprehended near Crow Creek Agency, D. T., on the 17th of September, 1870. This at or near Fort Sully, D. T., on or about the 15th day of September, 1870."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"That Private *James Brown*, Company 'E,' 22d Infantry, did feloniously take, steal, and carry away, with the intention of appropriating to his own use, from

the barracks of Company 'E,' 22d Infantry, two (2) haversacks and one (1) canteen, the property of the United States. This at Fort Sully, D. T., on or about the 15th day of September, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty," except the words, "*and one canteen.*"

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay now due or to become due; to be dishonorably discharged and drummed out of the service of the United States, and to be confined in such military prison as the Commanding General may direct, for the period of four (4) years, wearing a ball and chain attached to his left leg, weighing twenty (20) pounds."

II...The proceedings, findings, and sentence in the foregoing case, are approved. The sentence will be duly carried into execution at Fort Sully, D. T., which is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Sergeant *Michael London*, Company "D," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., NOVEMBER 25, 1870.

GENERAL ORDERS, }
No. 89. }

I...Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders, No. 164, current series, from these Headquarters, and of which Captain JOHN HARTLEY, 22d Infantry, is President, was arraigned and tried:

Sergeant *Michael London*, Company "D," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, *Michael London*, Sergeant Company 'D,' 22d U. S. Infantry, a duly enlisted soldier in the army of the United States, did desert the same at Starr Rancho, D. T., (while en route from Yankton, D. T., to Fort Randall, D. T.,) on or about the 14th day of May, 1870, and did remain absent therefrom until apprehended at Sioux City, Iowa, on or about the 27th day of June, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service, and to forfeit all pay and allowances that are now due or may become due, except the just dues of the laundress, and to be confined at hard labor at such military prison as the Commanding General may direct, until the 4th day of December, 1871, the date of the expiration of his term of service in the United States army."

II...The proceedings, findings, and sentence in the case of Sergeant *Michael London*, Company "D," 22d Infantry, are approved. The sentence will be duly carried into execution at Fort Randall, D. T., which is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Mikel Osealin*, Company "K," 7th Infantry.
 2. Private *Jeremiah Sullivan*, Company "L," 2d Cavalry.
 3. Private *James A. Woodruff*, Company "E," 7th Infantry.
 4. Private *John Keys*, Company "E," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., NOVEMBER 26, 1870.

GENERAL ORDERS, } No. 90. }

I...Before a General Court Martial, which convened at Fort Shaw, D. T., by virtue of Special Orders Nos. 124 (Ex. III.) and 135 (Ex. II. and III.), current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried :

1st. Private *Mikel Osealin*, Company "K," 7th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that Recruit *Mikel Osealin*, now private, Company 'K,' 7th U. S. Infantry, did feloniously take, steal and carry away, and appropriate to his own use, one gold ring, one meerschaum pipe, and one case of surgical instruments, the property of the late Acting Assistant Surgeon William W. Shapley. This while en

route from 'Silver Star,' M. T., to Fort Shaw, D. T., on or about the 14th day of August, 1870."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty," except the words, "*one gold ring,*" and the following: "*This while en route from 'Silver Star,' M. T., to Fort Shaw, M. T., on or about the 14th day of August, 1870,*" and substituting therefor the words: "All this at or near Fort Shaw, M. T., on or about the 23d day of August, 1870."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at such place as the Major General Commanding the Department may direct, for the period of one year, at hard labor; to forfeit all pay and allowances now due or that may become due; and at the expiration of his term of confinement, to be dishonorably discharged from the United States service."

2d. Private *Jeremiah Sullivan*, Company "I," 2d Cavalry.

CHARGE I.—"Violation of the 9th Article of War."

Specification.—"In this, that Private *Jeremiah Sullivan*, Company 'I,' 2d Cavalry, did disobey the lawful command of his superior officer, 1st Lieutenant Harry H. Link, 7th Infantry, and draw his pistol against him, being in the execution of his office as officer of the day. This at Fort Benton, Montana Territory, on or about September 12th, 1870."

CHARGE II.—“ Violation of the 45th Article of War.”

Specification.—“ In this, that Private *Jeremiah Sullivan*, Company ‘ L,’ 2d Cavalry, was found drunk on his duty, while member of the escort of Major Steinberger, Paymaster United States Army. This at Fort Benton, Montana Territory, on or about September 12th, 1870.”

CHARGE III.—“ Conduct to the prejudice of good order and military discipline.”

Specification.—“ In this, that Private *Jeremiah Sullivan*, Company ‘ L,’ 2d Cavalry, did become drunk and riotous, and draw his pistol in a threatening manner against one or more soldiers of the garrison. This at Fort Benton, Montana Territory, on or about September 12th, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—“ Not Guilty.”

To the 1st CHARGE—“ Not Guilty.”

To the *Specification*, 2d Charge—“ Not Guilty.”

To the 2d CHARGE—“ Not Guilty.”

To the *Specification*, 3d Charge—“ Not Guilty.”

To the 3d CHARGE—“ Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“ Guilty,” except the works : “ *and draw his pistol against him.*”

Of the 1st CHARGE—“ Guilty.”

Of the *Specification*, 2d Charge—“ Guilty.”

Of the 2d CHARGE—“ Guilty.”

Of the *Specification*, 3d Charge—“ Guilty.”

Of the 3d CHARGE—“ Guilty.”

SENTENCE.

" *To be confined at hard labor, in charge of the guard, for the period of three months, and to forfeit to the United States Government five dollars (\$5.00) per month of his monthly pay for the same period.*"

3d. Private *James A. Woodruff*, Company "E," 7th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this, that he, Private *James A. Woodruff*, Company 'E,' 7th Infantry, a member of the guard, did become so much under the influence of intoxicating liquor, as to be unable to properly perform his duties. All this at Fort Benton, M. T., on or about the 13th day of September, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

" *To be confined at hard labor, in the post guard house, for the period of thirty days.*"

The Court is thus lenient in consideration of the fact estab-

lished before it, that the accused was not in a fit condition to go on duty when detailed.

4th. Private *John Keys*, Company "E," 7th Infantry.

CHARGE.—"Sleeping on post."

Specification.—"In this, that he, Private *John Keys*, Company 'E,' 7th Infantry, being a member of the post guard at Fort Benton, Montana, and having been duly posted as a sentinel on Post No. 2, was found sleeping on his post. All this at Fort Benton, M. T., on or about the 15th day of September, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore *acquit him*.

II...The proceedings, findings and sentence in the case of Private *Mikel Osealin*, Company "K," 7th Infantry, are approved. The sentence will be duly carried into execution at Fort Shaw, M. T., which is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Privates *Jeremiah Sullivan*, Company "L," 2d Cavalry, and

James A. Woodruff, Company "E," 7th Infantry, are approved. The sentences will be duly carried into execution.

The proceedings, findings and acquittal in the case of Private *John Keys*, Company "E," 7th Infantry, are approved. He will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., DECEMBER 2, 1870.

GENERAL ORDERS, }
No. 91. }

In accordance with instructions from the Secretary of War, General Orders Nos. 74 and 75, current series, from these Headquarters, modifying and diminishing the reservations respectively, of Forts Buford and Stevenson, D. T., as announced in Department General Orders Nos. 19 (Stevenson) and 21 (Buford), series of 1868, are hereby revoked.

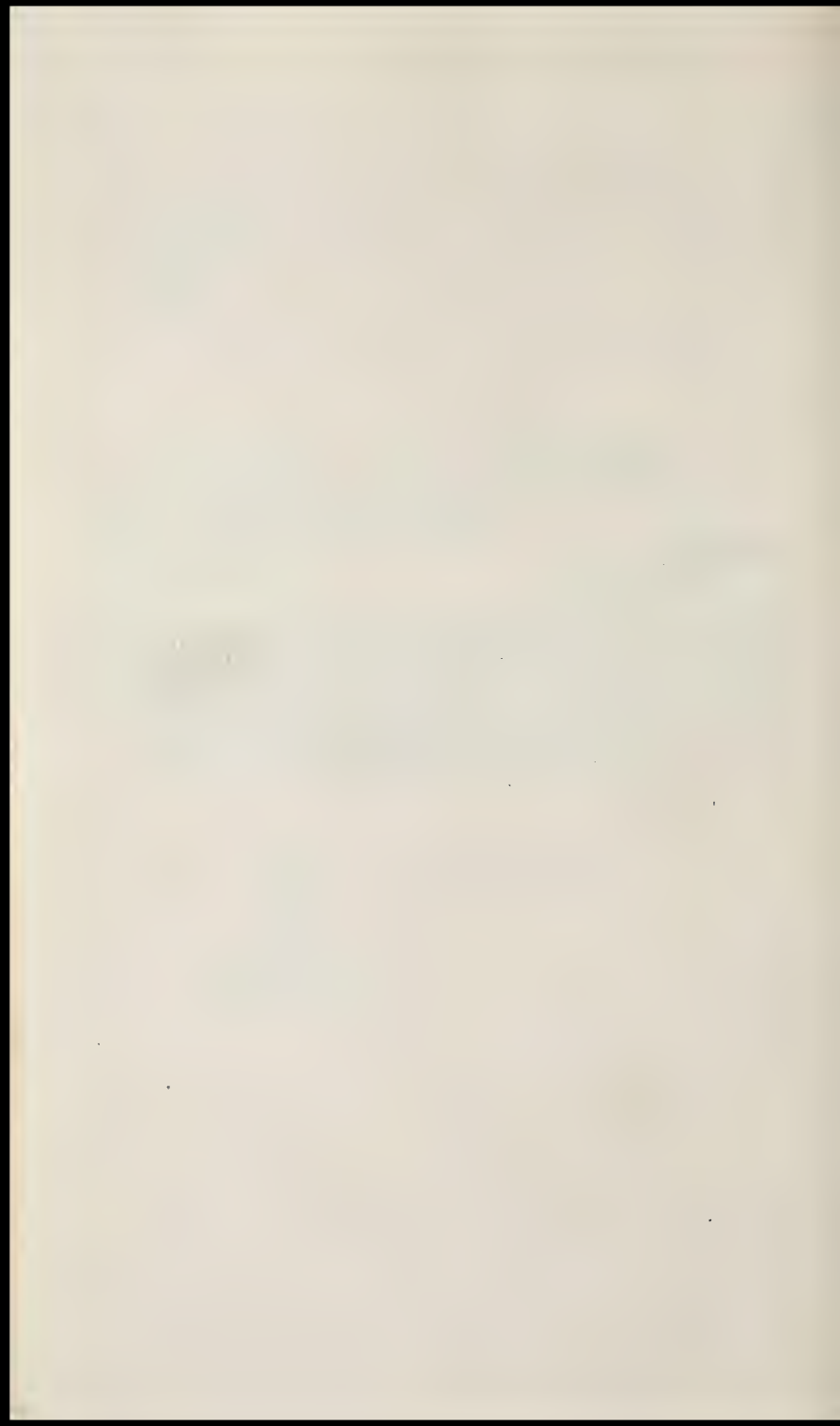
Accordingly, the reservations, as originally announced, will be maintained until further orders.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *Charles Ellis*, Company "K," 17th Infantry.
 2. Private *Frederick Voss*, Company "K," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., DECEMBER 6, 1870.

GENERAL ORDERS, }
No. 92. }

I...Before a General Court Martial, which convened at Fort Rice, D. T., by virtue of Special Orders No. 164, current series, from these Headquarters, and of which Colonel THOMAS L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried :

1st. Private *Charles Ellis*, Company "K," 17th Infantry.

CHARGE.—" Violation of the 45th Article of War."

Specification —" In this, that Private *Charles Ellis*, of Company 'K,' 17th U. S. Infantry, having been regularly detailed and mounted as a member of the guard at the post of Camp Grant, Va., on the 31st day of March, 1870, did become and was found so drunk as to be unable to properly perform his duty as a sentinel. All this at Camp Grant, Va., on or about the time specified."

To which CHARGE and *Specification*, the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, at the post where his company (sic.) for the period of thirty-one (31) days."

2d. Private *Frederick Voss*, Company "K," 17th Infantry.

CHARGE I.—"Violation of the 44th Article of War."

Specification.—"In this, that Private *Frederick Voss*, Company "K," 17th U. S. Infantry, did absent himself from reveille roll call, on or about March 31st, 1870, between the hours of five and six, A. M. This at Camp Grant, Va."

CHARGE II.—"Violation of the 45th Article of War."

Specification.—"In this, that Private *Frederick Voss*, Company "K," 17th U. S. Infantry, having been regularly detailed for guard (to be mounted on the 31st day of March, 1870,) did appear drunk at the time fixed for guard mounting, so as to incapacitate him to mount as a member of the guard. This at Camp Grant, Va., on or about the 31st day of March, 1870, between the hours of 8 and 9 A. M."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*—2d Charge, "Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor for a period of two months under charge of the guard at the post where his Company may be serving."

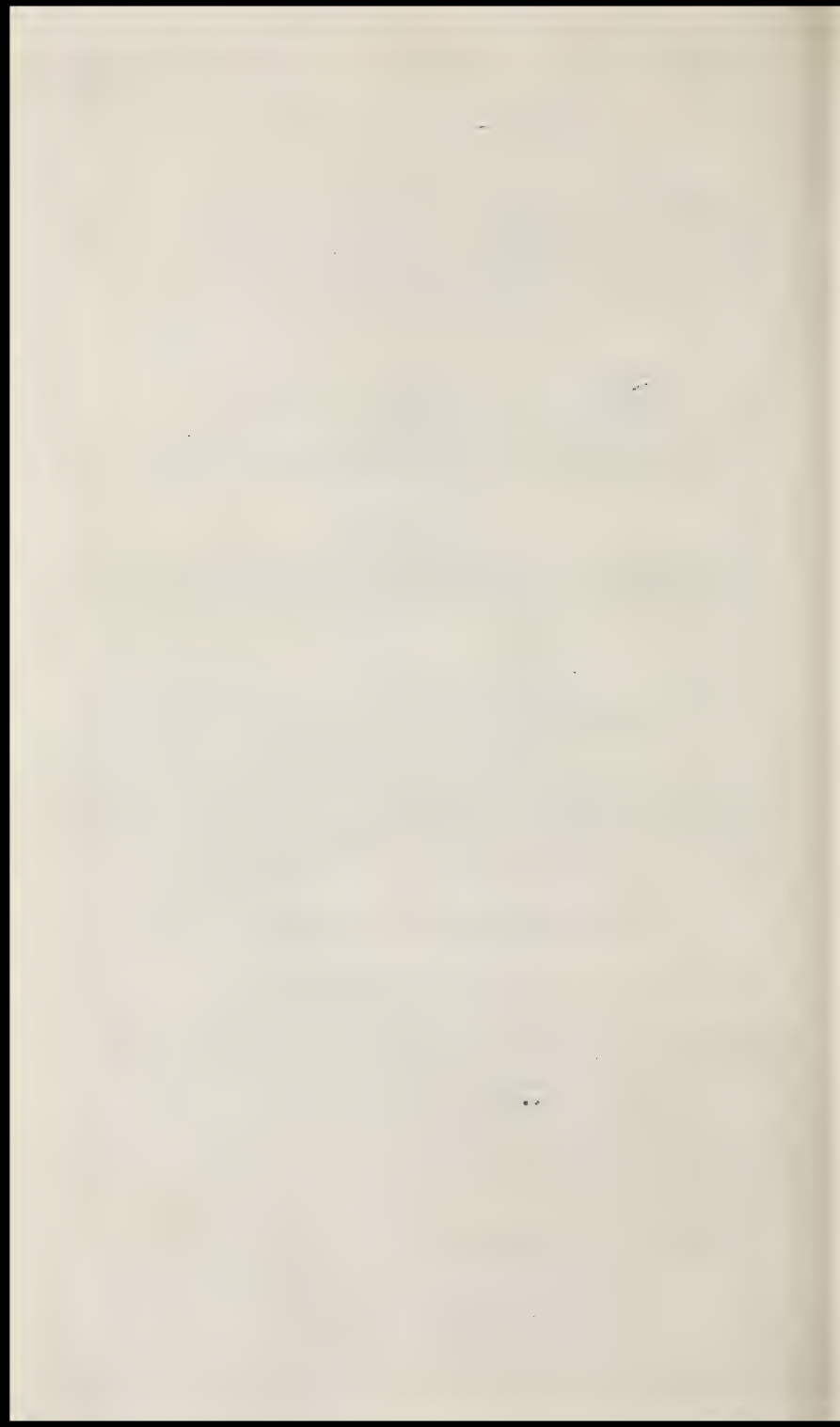
II... The proceedings, findings and sentences in the cases of Privates *Charles Ellis* and *Frederick Voss*, Company "K," 17th Infantry, are approved. Upon the recommendation of the members of the Court, and in consideration of their general good character, the sentences are remitted. They will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *Dennis Coughlin*, Company "E," 20th Infantry.
 2. Private *Frank Nelson*, Company "E," " "
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., DECEMBER 15, 1870.

GENERAL ORDERS, } No. 93.

I...Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders Nos. 159 and 198, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried :

1st. Private *Dennis Coughlin*, Company "E," 20th Infantry.

CHARGE.—" Theft, to the prejudice of good order and military discipline."

Specification I.—" In this, that Private *Dennis Coughlin*, Company 'E,' 20th Infantry, did feloniously steal, take and carry away six pairs of shoes, more or less, the property of Timothy Fee, a citizen of Mendota, Minn., or was a party thereto. This at Mendota, Minn., on or about the 10th September, 1870."

Specification II.—"In this, that Private *Dennis Coughlin*, Company 'E,' 20th Infantry, did feloniously steal, take and carry away an account book, the property of Timothy Fee, a citizen of Mendota, Minn., or was a party thereto. This at Mendota, Minn., on or about the 10th of September, 1870."

Specification III.—"In this, that Private *Dennis Coughlin*, Company 'E,' 20th Infantry, did feloniously take, steal and carry away a box containing provisions, the property of Captain Edwin C. Mason, 20th Infantry, or was a party to said act. This at or near Gull Lake, Minn., on or about the 27th day of October, 1870."

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the 3d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Not Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the 3d *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him.*"

2d. Private *Frank Nelson*, Company "E," 20th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Frank Nelson*, Company 'E,' 20th Infantry, did feloniously take, steal and

carry away a box containing provisions, the property of Captain Edwin C. Mason, 20th Infantry, or was a party to said act. This at or near Gull Lake, Minn., on or about the 27th day of October, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him.*"

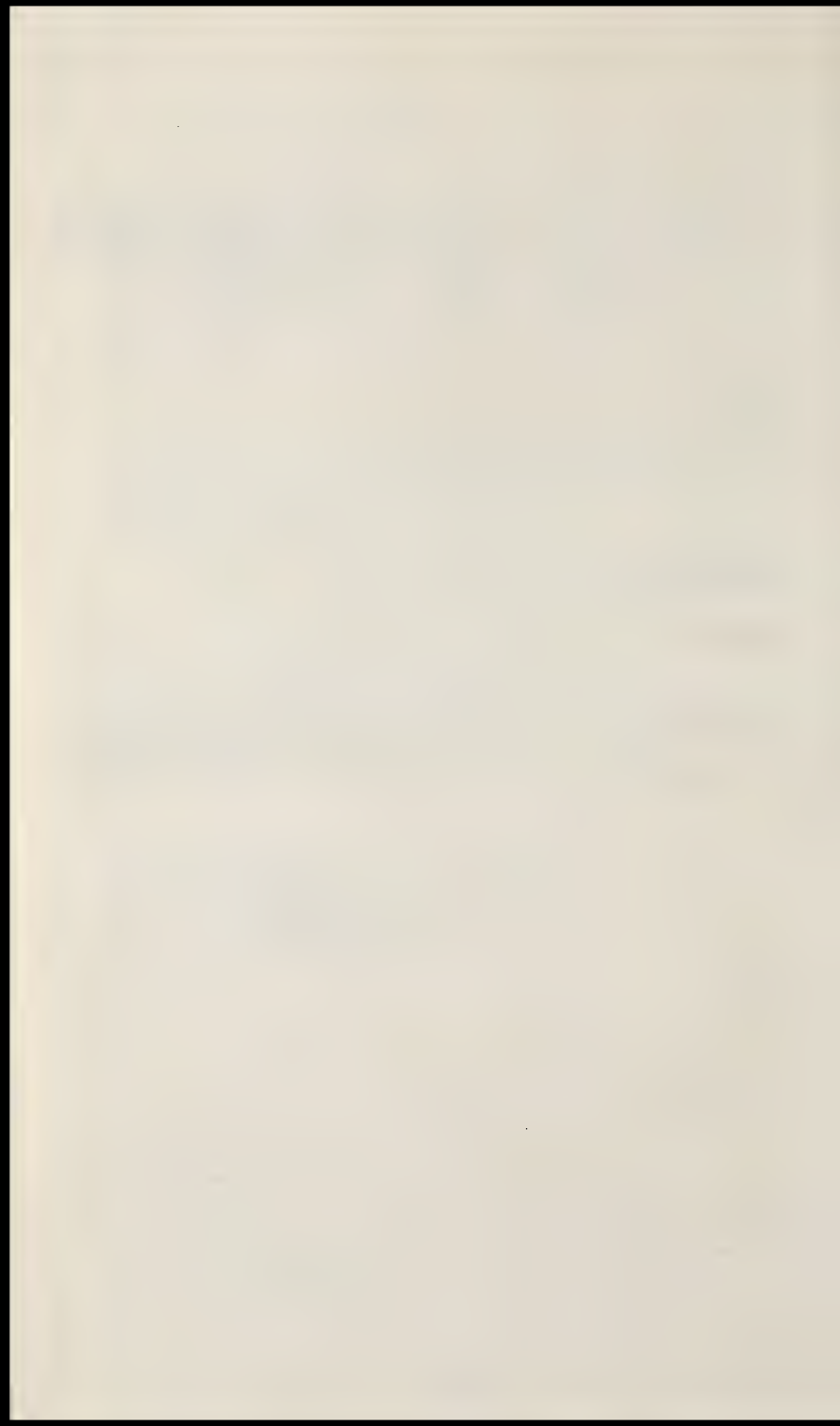
II...The proceedings, findings and acquittals in the above cases of Privates *Dennis Coughlin* and *Frank Nelson*, Company "E," 20th Infantry, are approved. They will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *James Gleason*, Company "F," 7th Infantry.
 2. Private *Isaac Rodgers*, Company "I," 7th Infantry.
 3. Private *Louis Smith*, Company "I," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., DECEMBER 16, 1870.

GENERAL ORDERS, { No. 94. }

I...Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders No. 112, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried :

1st. Private *James Gleason*, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification —"In this, that he, Private *James Gleason*, Company 'F,' 7th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Buford, D. T., on or about the 12th day of August, 1870, and did remain absent therefrom until he surrendered himself near the Big Muddy on the Missouri River, on or about the 22d day of August, 1870. All this at the times and places specified."

CHARGE II.—“ Theft, to the prejudice of good order and military discipline.”

Specification.—“ In this, that Private *James Gleason*, Company ‘ F,’ 7th U. S. Infantry, did feloniously take, steal, carry away and appropriate to his own use the following named property of the United States, viz : one (1) Springfield breech loading rifled musket and forty (40) rounds of ammunition, for which Brevet Major A. A. Cole, Captain 7th Infantry, was responsible. All this at Fort Buford, D. T., on or about the 13th day of August, 1870.

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—“ Not Guilty.”

To the 1st CHARGE—“ Not Guilty.”

To the *Specification*, 2d Charge—“ Not Guilty.”

To the 2d CHARGE—“ Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“ Guilty.”

Of the 1st CHARGE—“ Guilty.”

Of the *Specification*, 2d Charge—“ Not Guilty.”

Of the 2d CHARGE—“ Not Guilty.”

SENTENCE.

“ To forfeit to the United States all pay and allowances now due or to become due, except the just dues of the laundress ; to have the letter ‘ D,’ two inches long, indelibly marked upon his left hip ; to have his head shaved ; to be drummed out of and dishonorably discharged the service of the United States, and then to be confined at hard labor for the period of six months at whatever post his Company may be serving.”

2d. Private *Isaac Rodgers*, Company "I," 7th Infantry.

CHARGE.—"Neglect of duty as a sentinel, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Isaac Rodgers*, Private of Company 'I,' 7th U. S. Infantry, being on duty as a sentinel in charge of prisoners at work, did fail to keep the prisoners under his charge at work, but did allow said prisoners to sit down, and did himself sit or lie down. This at Fort Buford, D. T., on or about the 13th day of September, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States twelve dollars (\$12) of his monthly pay for the period of three months, and to be confined at hard labor under charge of the guard, for the same period."

3d. Private *Louis Smith*, Company "I," 7th Infantry.

CHARGE.—"Neglect of duty as a sentinel, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Louis Smith*, Private of Company 'I,' 7th U. S. Infantry, being on duty as a sentinel in charge of prisoners at work, did fail to keep the prisoners

under his charge at work, but did allow said prisoners to sit down, and did himself sit or lie down. This at Fort Buford, D. T., on or about the 13th day of September, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States twelve dollars (\$12) of his monthly pay for the period of three months, and to be confined at hard labor under charge of the guard, for the same period."

II...The proceedings and findings in the case of Private *James Gleason*, Company "F," 7th Infantry, are approved. The sentence is approved, except so much as prescribes indelibly marking the prisoner with the letter "D" upon the left hip, and shaving his head, which is remitted. The remainder of the sentence is approved, and will be duly executed.

The proceedings, findings and sentences in the cases of Privates *Isaac Rodgers* and *Louis Smith*, Company "I," 7th Infantry, are approved, but upon the recommendation of all the members of the Court, and in consideration of their previous good character and the length of time they have already been in confinement, the sentences are remitted. They will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Corporal *John Sherman*, Company "E," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., DECEMBER 21, 1870.

GENERAL ORDERS, }
No. 95. }

I...Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders Nos. 124 and 135, current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, was arraigned and tried :

Corporal *John Sherman*, Company "E," 7th Infantry.

CHARGE.—" Violation of the 45th Article of War."

Specification.—" In this, that he, Corporal *John Sherman*, Company 'E,' 7th Infantry, while on duty as corporal of the guard, was so much under the influence of intoxicating liquor as to be unable to properly perform his duties. All this at Fort Benton, Montana, on or about the 12th day of October, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be reduced to the ranks, and to be confined under charge of the guard, at hard labor, at the post where his company may be serving, for the period of sixty days."

II...The proceedings and findings in the foregoing case of Corporal *John Sherman*, Company "E," 7th Infantry, are approved. The sentence is approved, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Private *James Saunders*, Company "I," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
ST. PAUL, MINN., DECEMBER 22, 1870.

GENERAL ORDERS, }
No. 96. }

I...Before a General Court Martial, which convened at Fort Pembina, D. T., by virtue of Special Orders No. 149, current series, from these Headquarters, and of which Captain *LOYD WHEATON*, 20th Infantry, is President, was arraigned and tried :

Private *James Saunders*, Company "I," 20th Infantry.

CHARGE.—" Drunk on duty."

Specification.—" In this, that he, *James Saunders*, a private of Company 'I,' 20th Infantry, having been duly posted as a sentinel of the police guard at the station of his company, did become so much intoxicated as to be unable to properly perform his duty. This at Fort Pembina, D. T., on or about the 3d day of October, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, at the station of his company, for the period of ninety (90) days."

II...The proceedings and findings in the foregoing case of Private *James Saunders*, Company "I," 20th Infantry, are approved. The sentence is approved and will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Jesse Blevans*, Company "F," 17th Infantry.
 2. Private *Charles Webb*, Company "E," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., DECEMBER 23, 1870.

GENERAL ORDERS,)
No. 97. }

I...Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders No. 165, current series, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, were arraigned and tried:

1st. Private *Jesse Blevans*, Company "F," 17th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, Private *Jesse Blevans*, Company 'F,' 17th Infantry, did positively refuse to go to the guard house when ordered to do so by 1st Sergeant John McRea, Company 'F,' 17th Infantry, and did then attempt to draw upon said 1st Sergeant McRea, a Colt's army revolver, No. 14,444, loaded with powder and ball and capped, and was prevented from drawing said pistol

by said Sergeant McRea, and did resist said Sergeant McRea, and render it necessary for said Sergeant McRea to call upon Sergeant James H. Seymour and Sergeant Patrick Boland, Company 'F,' 17th Infantry, for assistance; and when near the guard-house, the said *Jesse Blevans* did again attempt to draw this same revolver-pistol, but was prevented from so doing by Sergeant James H. Seymour, Company 'F,' 17th Infantry, and the said *Blevans* did then threaten that 'as soon as he was released, he would blow the son-of-a-bitch's brains out; that he was nothing but a bastard,' or words to that effect, referring to 1st Sergeant John McRea, Company 'F,' 17th Infantry, the said 1st Sergeant John McRea being in the execution of his office of 1st Sergeant Company 'F,' 17th Infantry. All this at or near Grand River Agency, D. T., on or about the morning of the 17th of July, 1870."

CHARGE II.—"Desertion."

Specification.—"In this, that he, Private *Jesse Blevans*, Company 'F,' 17th Infantry, having been regularly enlisted as a soldier in the army of the United States, and having drawn rations, clothing and pay as such, did desert from his Company 'F,' 17th Infantry, U. S. A., and the service of the United States, by breaking away from the guard between Tattoo of the night of the 2d day of August, 1870, and Reveille of the morning of the 3d day of August, 1870, at Grand River Agency, Dakota Territory, where he was confined, and did remain absent therefrom until apprehended about 12 miles east of Cheyenne Agency, Dakota Territory, on or about the 5th day of August, 1870. Thirty dollars (\$30.) paid for his apprehension. All this at the places and dates above specified."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay now due or to become due; to be dishonorably discharged and drummed out of the service of the United States, and to be confined in such military prison as the Commanding General may direct, for the period of four (4) years, wearing a ball and chain attached to his left leg weighing twenty (20) pounds."

2d. Private *Charles Webb*, Company "E," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Charles Webb*, Company 'E,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service at or near Fort Sully, D. T., on or about the 1st day of October, 1870, and did remain absent until apprehended at or near Crow Creek Agency, D. T., on or about the 7th day of October, 1870. Thirty dollars (\$30.) reward being paid for his apprehension. This at or near Fort Sully, D. T., on or about the 1st day of October, 1870."

CHARGE II.—“Deserting his post in violation of the 46th Article of War.”

Specification.—“In this, that he, Private *Charles Webb*, Company ‘E,’ 22d Infantry, having been duly posted as a sentinel on post No. 4, over the granary, at Fort Sully, D. T., did desert said post before he was regularly relieved, and the service of the United States, and did remain absent until apprehended at or near Crow Creek Agency, D. T., on or about the 1st day of October, 1870. This at Fort Sully, D. T., on or about the 1st day of October, 1870.”

CHARGE III.—“Theft, to the prejudice of good order and military discipline.”

Specification —“In this, that he, Private *Charles Webb*, Company ‘E,’ 22d Infantry, did feloniously take, steal and carry away, with the intention of appropriating to his own use, the following property of the United States, viz: One horse, valued at ninety-three dollars and fifty cents (\$93.50); one saddle, valued ten dollars (\$10.00); one bridle, valued at two dollars and fifty cents (\$2.50); one breech-loading Springfield rifled musket, valued at fifty dollars (\$50.); and one set of infantry accoutrements, valued two dollars and forty-two cents (\$2.42). All this at or near Fort Sully, D. T., on or about the 1st day of October, 1870.”

CHARGE IV.—“Desertion.”

Specification.—“In this, that he, Private *Charles Webb*, Company ‘E,’ 22d Infantry, a duly enlisted man in the service of the United States, did desert said service while in confinement at Fort Sully, D. T., awaiting trial for desertion, and did remain absent until apprehended at

or near Medicine Creek, D. T., on or about the 18th day of October, 1870. Thirty dollars (\$30.) reward being paid for his apprehension. All this at or near Fort Sully, D. T., on or about October 16th, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."
 To the 1st CHARGE—"Guilty."
 To the *Specification*, 2d Charge—"Not Guilty."
 To the 2d CHARGE—"Not Guilty."
 To the *Specification*, 3d Charge—"Guilty."
 To the 3d CHARGE—"Guilty."
 To the *Specification*, 4th Charge—"Guilty."
 To the 4th CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."
 Of the 1st CHARGE—"Guilty."
 Of the *Specification*, 2d Charge—"Not Guilty."
 Of the 2d CHARGE—"Not Guilty."
 Of the *Specification*, 3d Charge—"Guilty."
 Of the 3d CHARGE—"Guilty."
 Of the *Specification*, 4th Charge—"Guilty."
 Of the 4th CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay now due or to become due; to be dishonorably discharged the service of the United States, and to be confined in such State prison as the Commanding General may direct, for the period of five (5) years."

II...The proceedings, findings and sentence, in the case of Private Jesse Blevans, Company "F," 17th Infantry, are dis-

approved, on account of a failure of proof. He will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Charles Webb*, Company "E," 22d Infantry, are approved. The sentence is approved, and will be duly carried into execution. The Minnesota State Penitentiary, at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., DECEMBER 24, 1870.

GENERAL ORDERS, {
No. 98. }

In accordance with instructions from the War Department, Commanders of companies serving in this Department, which are supplied with breech-loading arms manufactured prior to 1868, will at once make requisition for the requisite number of arms of the new pattern. Such requisitions will be transmitted by Post Commanders, with the least practicable delay, to these Headquarters, for the approval of the Department Commander.

On receipt of the new arms the old ones will be immediately boxed and otherwise carefully prepared for shipment to such depot as may hereafter be designated.

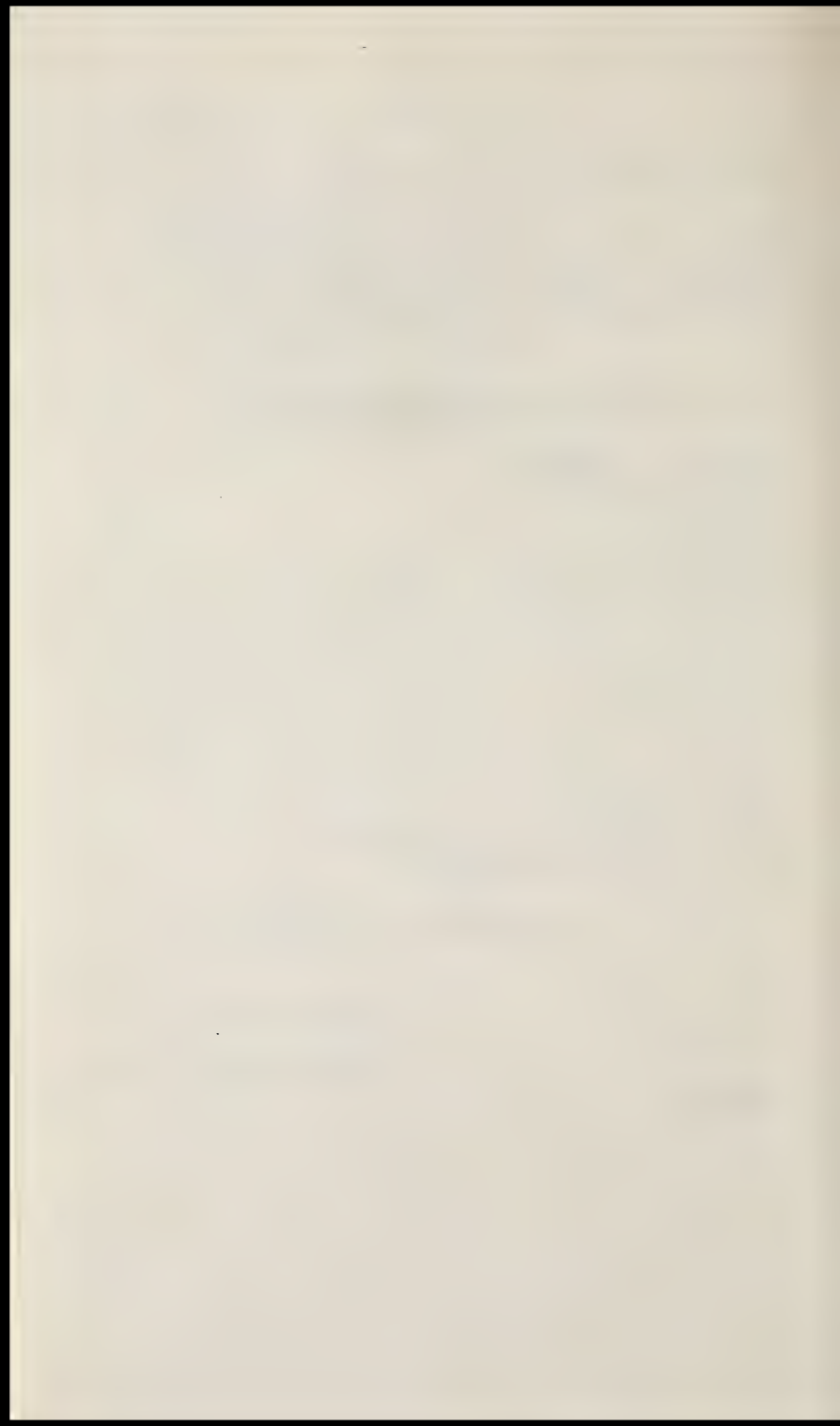
The Quartermaster's Department will furnish the necessary transportation in the execution of these orders.

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Corporal *E. B. Egan*, Company "D," 22d Infantry.
 2. Private *William Jones*, Company "D," 22d Infantry.
 3. Private *John Haley*, Company "D," 22d Infantry.
 4. Private *James White*, Company "D," 22d Infantry.
 5. Private *Jeremiah Daily*, Company "D," 22d Infantry.
 6. Private *Thomas Cuddy*, Company "D," 22d Infantry.
 7. Private *Hugh McGrath*, Company "D," 22d Infantry.
 8. Private *John Wilson*, Company "D," 22d Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

ST. PAUL, MINN., DECEMBER 26, 1870.

GENERAL ORDERS, } No. 99. }

I...Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, current series, from these Headquarters, and of which Captain JOHN HARTLEY, 22d Infantry, is President, were arraigned and tried :

1st. Corporal *E. B. Egan*, Company "D," 22d Infantry.

CHARGE I.—" Disobedience of orders."

Specification.—"In this, that the said Corporal *E. B. Egan*, Company 'D,' 22d Infantry, did in violation of General Orders No. 8, dated Headquarters, Whetstone Agency, D.

T., August 23d, 1870, cross to the east side of the Missouri river without permission from proper authority. This at or near Whetstone Agency, D. T., on or about the 4th day of October, 1870."

CHARGE II.—"Absence without leave."

Specification.—"In this, that the said Corporal *E. B. Egan*, Company 'D,' 22d U. S. Infantry, did absent himself from his quarters on the 4th day of October, 1870, at 10 o'clock A. M., until 3 o'clock P. M., of the 4th day of October, 1870, when he was arrested and brought back by the commanding officer of the post. This at or near Whetstone Agency, D. T., on or about the 4th day of October, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks, and to forfeit ten dollars (\$10) of his monthly pay per month, for the period of three (3) months."

2d. Private *William Jones*, Company "D," 22d Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this, that the said Private *William Jones*, Company 'D,' 22d U. S. Infantry, did in violation of General Orders No. 8, dated Headquarters. Whetstone Agency, D. T., August 23d, 1870, cross to the east side of the Missouri river, without permission from proper authority. This at or near Whetstone Agency, D. T., on or about the 4th day of October, 1870."

CHARGE II.—"Absence without leave."

Specification.—"In this, that the said Private *William Jones*, Company 'D,' 22d U. S. Infantry, did absent himself from his quarters during the night from the third to the fourth day of October, 1870, and did remain absent until 3 o'clock P. M. of the fourth day of October, 1870, when he was arrested and brought back by the commanding officer of the post. This at or near Whetstone Agency, D. T., on or about the fourth day of October, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States five (5) dollars per month of his monthly pay, for the period of three (3) months, and to carry a loaded knapsack weighing forty (40) lbs. two hours per day, under charge of a guard, for the period of one week."

3d. Private *John Haley*, Company "D," 22d Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this, that the said Private *John Haley*, Company 'D,' 22d U. S. Infantry, did in violation of General Orders No. 8, dated Headquarters, Whetstone Agency, D. T., August 23d, 1870, cross to the east side of the Missouri River, without permission from proper authority. This at or near Whetstone Agency, D. T., on or about the 4th day of October, 1870."

CHARGE II.—"Absence without leave."

Specification.—"In this, that the said Private *John Haley*, Company 'D,' 22d U. S. Infantry, did absent himself from his quarters during the night from the third to the fourth of October, 1870, until three o'clock P. M. of the fourth of October, 1870, when he was arrested and brought back by the commanding officer of the post. This at or near Whetstone Agency, D. T., on or about the fourth day of October, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States five (5) dollars per month of his monthly pay, for the period of three (3) months, and to carry a loaded knapsack weighing forty (40) lbs., two hours per day, under charge of a guard, for the period of one week."

4th. Private *James White*, Company "D," 22d Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this, that the said Private *James White*, Company 'D,' 22d Infantry, did in violation of General Orders, No. 8, dated Headquarters. Whetstone Agency, D. T., August 23d, 1870, cross to the east side of the Missouri river without permission from proper authority. This at or near Whetstone Agency, D. T., on or about the fourth day of October, 1870."

CHARGE II.—"Absence without leave."

Specification.—"In this, that the said Private *James White*, Company 'D,' 22d U. S. Infantry, did absent himself from his quarters on the fourth day of October, 1870, at 10 o'clock A. M., and did remain absent until 3 o'clock, P. M., of the fourth day of October, 1870, when he was arrested and brought back by the commanding officer of the post. This at or near Whetstone Agency, D. T., on or about the fourth day of October, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—" Guilty."

To the 1st CHARGE—" Guilty."

To the *Specification*, 2d Charge—" Guilty."

To the 2d CHARGE—" Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty."

Of the 1st CHARGE—" Guilty."

Of the *Specification*, 2d Charge—" Guilty."

Of the 2d CHARGE—" Guilty."

SENTENCE.

" To forfeit to the United States five (5) dollars per month of his monthly pay, for the period of three (3) months, and to carry a loaded knapsack weighing forty (40) lbs., two hours per day, under charge of a guard, for the period of one week."

5th. Private *Jeremiah Dailey*, Company " D," 22d Infantry.

CHARGE I.—"Absence without leave."

Specification.—" In this, that he, *Jeremiah Dailey*, Private Company ' D,' 22d Infantry, did absent himself from his Company and quarters without permission from proper authority, and did remain so absent from the 19th day of September, 1870, until the 22d day of September, 1870. This at Whetstone Agency, D. T., on or about the dates above specified."

CHARGE II.—" Disobedience of orders."

Specification.—" In this, that he, *Jeremiah Dailey*, Private

Company 'D,' 22d Infantry, did in violation of Par. 1, General Orders No. 8, Headquarters, Whetstone Agency, D. T., August 23d, 1870, cross the Missouri river without permission from proper authority, such orders having been properly published to the command, and posted in the company quarters. This at Whetstone Agency, D. T., on or about the 19th day of September, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States five (5) dollars per month of this monthly pay for the period of three (3) months, and to carry a loaded knapsack weighing forty (40) lbs., two hours per day, under charge of a guard, for the period of one week."

6th. Private *Thomas Cuddy*, Company "D," 22d Infantry.

CHARGE I—"Disobedience of orders."

Specification.—"In this, that he, *Thomas Cuddy*, Private of Company 'D,' 22d Infantry, did in violation of Par. 1, General Orders No. 8, dated Headquarters, post of

Whetstone, Whetstone, D. T., August 23d, 1870, cross the Missouri river without permission from proper authority, said order having been properly published to the command and posted in the company quarters. This at Whetstone, D. T., on or about the 25th day of September, 1870."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, the said *Thomas Cuddy*, Private of Company "D," 22d Infantry, did become so much under the influence of liquor as to totally unfit him for the proper performance of his duties as a soldier. This at Whetstone, D. T., on or about the 25th day of September, 1870."

Specification II.—"In this, that he, the said *Thomas Cuddy*, Private Company "D," 22d Infantry, did absent himself from his Company and quarters without permission from proper authority, thereby missing Retreat Roll Call of his Company. This at Whetstone, D. T., on or about the 25th day of September, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the 1st *Specification*, 2d CHARGE—"Guilty."

To the 2d *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d CHARGE—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States five (5) dollars of his monthly pay for the period of three (3) months, and to carry a loaded knapsack weighing forty (40) lbs., two hours per day, under charge of a guard, for the period of one week."

7th. Private *Hugh McGrath*, Company 'D,' 22d Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this, that he, *Hugh McGrath*, Private Company 'D,' 22d Infantry, did in violation of Par. 1. General Orders No. 8, dated Headquarters, Post of Whetstone, Whetstone, D. T., August 23d, 1870, cross the Missouri river without permission from proper authority, said order having been properly published to the command and posted in the company quarters. This at Whetstone, D. T., on or about the 25th day of September, 1870."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, *Hugh McGrath*, Private of Company 'D,' 22d Infantry, did become so much under the influence of liquor as to unfit him for the proper performance of his duties. This at Whetstone, D. T., on or about the 25th day of September, 1870."

Specification II.—"In this, that he, *Hugh McGrath*, Private Company 'D,' 22d Infantry, did absent himself from his Company and quarters without permission from proper authority, thereby missing Retreat Roll Call of his Compa-

ny. This at Whetstone, D. T., on or about the 25th day of September, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the 1st *Specification*, 2d Charge—"Guilty."

To the 2d *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States five (5) dollars per month of his monthly pay for the period of three (3) months, and to carry a loaded knapsack weighing forty (40) lbs., two hours per day, under charge of a guard, for the period of one week."

8th. Private *John Wilson*, Company "D," 22d Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this, that he, *John Wilson*, Private Company 'D,' 22d Infantry, did in violation of Par. 1, General Orders No. 8, dated Headquarters, post at Whetstone, Whetstone, D. T., August 28th, 1870, cross the Missouri river without permission from proper authority, said order having been properly published to the command

and posted in the company quarters. This at Whetstone, D. T., on or about the 25th day of September, 1870."

CHARGE II.—"Conduct prejudicial to good order and military discipline.

Specification I.—"In this, that he, the said *John Wilson*, Private Company 'D,' 22d Infantry, did become so much under the influence of liquor as to unfit him for the proper performance of his duties. This at Whetstone, D. T., on or about the 25th day of September, 1870."

Specification II.—"In this, that he, the said *John Wilson*, Private Company 'D,' 22d Infantry, did absent himself from his Company and quarters without permission from proper authority, thereby missing Retreat Roll Call of his Company. This at Whetstone, D. T., on or about the 25th day of September, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the 1st *Specification*, 2d Charge—"Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification* 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification* 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States five (5) dollars per month of

his monthly pay for the period of three (3) months, and to carry a loaded knapsack weighing forty (40) lbs., two hours per day, under charge of a guard, for the period of one week."

II..The proceedings and findings in the foregoing cases of Corporal *E. B. Egan*, and Privates *William Jones*, *John Haley*, *James White*, *Jermiah Dailey*, *Thomas Cuddy*, *Hugh McGrath*, and *John Wilson*, Company "D," 22d Infantry, are approved. The sentences are approved, and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

IN THE FIELD,

Sioux City, Iowa, May 14, 1870.

GENERAL FIELD ORDERS, }
No. 1.

I...To enable the Major General Commanding to visit the 14th and 17th Regiments U. S. Infantry, with a view of speedily strengthening the several Indian Agencies, and to carry out existing orders in regard thereto, on the Missouri river, the Chief Quartermaster of the Department will charter a light-draft steamboat to be retained in service no longer than is absolutely necessary to effect these several objects.

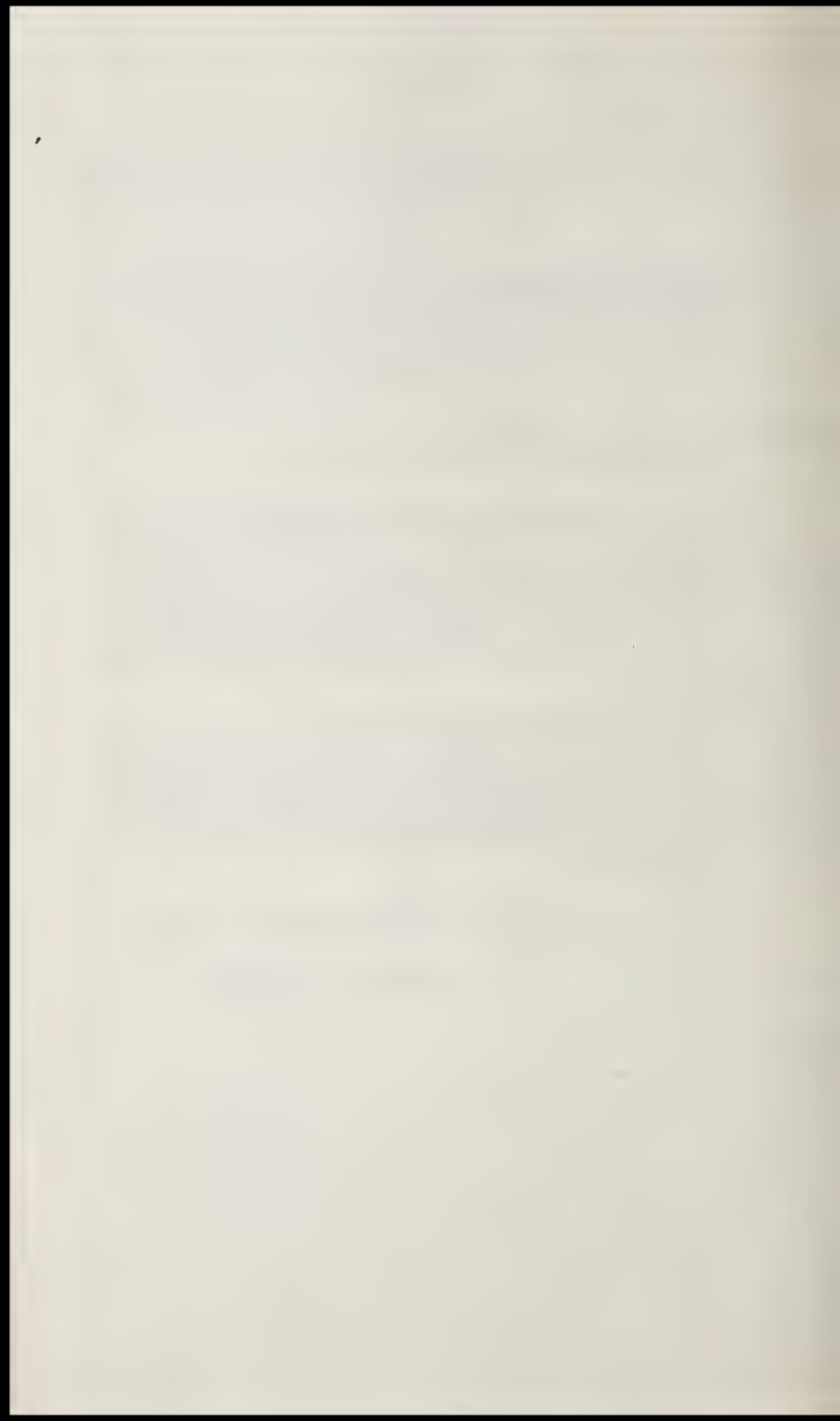
II...The baggage of the 14th and 17th Regiments, and the public property destined for Forts Randall and Sully and for the intermediate Indian Agencies, now delayed at Sioux City for want of transportation, will be put aboard of the chartered steamer "Miner," and delivered as soon as possible at its destination, under charge of the Chief Quartermaster.

BY COMMAND OF MAJOR GENERAL HANCOCK,

JOHN S. WHARTON,

Captain and A. D. C.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

IN THE FIELD,

Steamer "Miner," Crow Creek Agency, D. T., May 23, 1870.

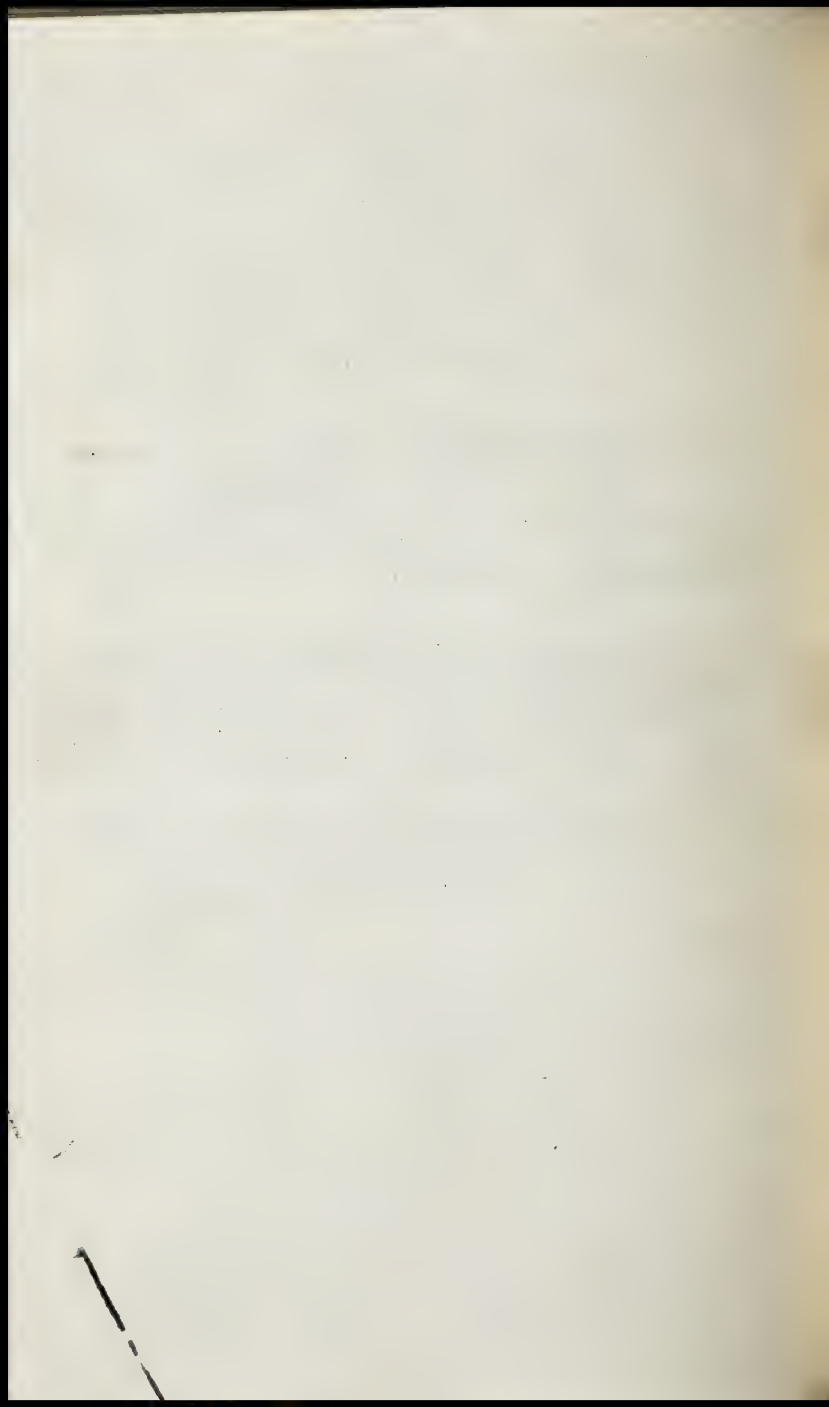
GENERAL FIELD ORDERS, }
No. 2. }

Captain J V. FUREY, Assistant Quartermaster, at Sioux City, is hereby appointed disbursing officer for transportation, contingent expenditures, mileage, postage, and for regular supplies, and such other vouchers as may be presented, duly authorized and verified, and not paid at the several posts on the Missouri river for want of funds.

BY COMMAND OF MAJOR GENERAL HANCOCK.

JOHN S. WHARTON,
Captain and A. D. C.

OFFICIAL.



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G. C. M.

1. Private *Henry Gerke*, Company "A," 17th Infantry.
 2. Private *Michael McMahon*, Company "A," 22d Infantry.
 3. Sergeant *James Sinclair*, Company "E," 22d Infantry.
 4. Private *John Murphy*, Company "E," 22d Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 14, 1871.

GENERAL ORDERS, }
No. 1. }

1. Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders No. 165, series of 1870, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, were arraigned and tried:

1st. Private *Henry Gerke*, Company "A," 17th Infantry.

CHARGE.—"Violation 38th Article of War."

Specification I.—"In this, that he, Private *Henry Gerke*, Company "A," 17th U. S. Infantry, did sell or trade one uniform coat to an Indian. All this at Grand River Agency, D. T., on or about the 1st day of September, 1870."

Specification II.—"In this, that he, Private *Henry Gerke*, Company "A," 17th U. S. Infantry, did sell, trade, or other-

wise dispose of one pair of drawers, which was issued to him at Grand River Agency, D. T., on the 10th day of September, 1870. All this at Grand River Agency, D. T., on or about the 11th day of September, 1870."

To which CHARGE and *Specifications* the accused pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States one (1) cent of his pay."

2d. Private *Michael McMahon*, Company "A," 22d Infantry.

CHARGE.—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Michael McMahon*, of Company "A," 22d U. S. Infantry, about 12 o'clock, M., on or about the 2d day of November, 1870, with force and arms upon one Charles A. Archer, a citizen employee of the Quartermaster's Department at the Post of Fort Sully, D. T., unlawfully did make an assault; and that the said Private *Michael McMahon*, of Company "A," 22d U. S. Infantry, with a certain gun, or guns, then and there charged with gunpowder and leaden balls or bullets, then and there unlawfully did discharge and shoot off one or more

separate and distinct shots, at, against and upon the said Charles A. Archer, with intent to kill, to the prejudice of good order and military discipline. All this at or near Fort Sully, D. T., on or about the 2d day of November, 1870, between the hours of 11 o'clock A. M., and 1:30 o'clock P. M."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification* of the Charge—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay due or that may become due, and to be dishonorably discharged the service of the United States, and to be confined at such State Prison as the Commanding General may direct, for the period of five (5) years."

3d. Sergeant *James Sinclair*, Company "E," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Sergeant *James Sinclair*, Company "E," 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service at or near Crow Creek Agency, D. T., and did remain absent until apprehended at or near Sioux City, Iowa, on or about the 9th day of October, 1870, thirty (30) dollars reward being

paid for his apprehension. This at or near Crow Creek Agency, D. T., on or about the 1st day of October, 1870."

CHARGE II.—"Positive and willful disobedience of orders."

Specification.—"In this, that he, Sergeant *James Sinclair*, Company 'E,' 22d Infantry, having been detailed and placed in charge of a detachment of soldiers and ordered to proceed to Fort Thompson, D. T., and there await the arrival of, and report to 1st Lieutenant William Conway, 22d Infantry, for the purpose of escorting the beef herd to this post, (Fort Sully, D. T.,) did disobey said order of his Commanding officer, Colonel D. S. Stanley, 22d Infantry, and did then and there desert the service of the United States. This at or near Crow Creek Agency, D. T., on or about the 1st day of October, 1870."

CHARGE III.—"Violation of the 50th Article of War."

Specification.—"In this, that he, Sergeant *James Sinclair*, Company 'E,' 22d Infantry, having been detailed on detached service, by virtue of the following order, viz :

'HEADQUARTERS, FORT SULLY, D. T.,)
September 26, 1870.)

'Special Orders)
No 149.)

* * * * *

Extract.

'III...The following named enlisted men, 22d Infantry, are hereby detailed and will proceed to-morrow morning, the 27th instant, to Fort Thompson, D. T., and will there await the arrival of Lieutenant Conway, from Lake Benton, and will report to him upon his arrival, to escort the beef herd to this post. The party will be supplied with three days' rations and forty rounds of ammunition per man.

Company 'E.'

'Sergeant James Sinclair, Privates Thomas Glenn and John Murphy.

* * * * *

'The Quartermaster's Department will furnish the necessary transportation.

'By order of Colonel D. S. STANLEY.

[Signed]

Hiram H. Ketchum,

'1st Lieutenant, 22d Infantry.

'Post Adjutant.'

did quit his detachment, did fail to report as ordered, and did desert his detachment and the service of the United States in company with Private *John Murphy*, Company 'E,' 22d Infantry, and did remain absent until apprehended at or near Sioux City, Iowa, on or about the 9th instant. All this at or near Crow Creek Agency, D. T., on or about the 1st day of October, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."
To the 1st CHARGE—"Guilty."
To the *Specification*, 2d Charge—"Guilty."
To the 2d CHARGE—"Guilty."
To the *Specification*, 3d Charge—"Guilty."
To the 3d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."
Of the 1st CHARGE—"Guilty."
Of the *Specification*, 2d Charge—"Guilty."
Of the 2d CHARGE—"Guilty."
Of the *Specification*, 3d Charge—"Guilty."
Of the 3d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due him; to be reduced to the ranks and dis-

honorably discharged the service of the United States, and to be confined in such military prison as the Commanding General shall designate, for the period of five (5) years."

4th. Private *John Murphy*, Company "E," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *John Murphy*, Company "E," 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service at or near Crow Creek Agency, D. T., and did remain absent until apprehended at or near Sioux City, Iowa, on or about the 9th day of October, 1870. Thirty (30) dollars reward paid for his apprehension. This at or near Crow Creek Agency, D. T., on or near the 1st day of October, 1870."

CHARGE II.—"Advising soldiers to desert, in violation of the 23d Article of War."

Specification.—"In this, that he, Private *John Murphy*, Company "E," 22d Infantry, did advise Privates *John Wallace*, and *Daniel Rice*, Company "E," 22d Infantry, to desert the service of the United States, at or near Fort Stevenson, D. T., on or about the 27th day of May, 1870. This at or near Fort Stevenson, D. T., on or about the 27th day of May, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due; to be dishonorably discharged the service, and to be confined at hard labor in such military prison as the Commanding General shall designate, for the period of four (4) years."

11. In the case of Private *Henry Gierke*, Company "A," 17th Infantry, the sentence is disapproved. The 38th Article of War is imperative as to the nature of the punishment to be imposed for its violation, distinctly specifying a stoppage of pay *and* confinement or other corporeal punishment. Upon the findings therefore the court should have imposed corporeal punishment in addition to the stoppage of pay. The prisoner was either guilty of a violation of the law, or he was not. If guilty, there is no evidence to show that the forfeiture imposed is sufficient to cover the loss; and if the article sold was of no value, or of such little value, the prisoner should have been acquitted, for the act could not fairly be construed as coming within the scope of the 38th Article of War. Such, it is believed, would have been the proper as well as the more dignified proceeding. The prisoner will be released from confinement and restored to duty.

(2.) The proceedings and findings in the case of Private *Michael McMahon*, Company "A," 22d Infantry, are approved. The sentence is approved and will be duly carried into execution. The Minnesota State Penitentiary, at Stillwater, Minn., is designated as the place of confinement.

(3.) The proceedings, findings and sentence in the case of Sergeant *James Sinclair*, Company "E," 22d Infantry, are approved. Upon the recommendation of the members of the

court the sentence is mitigated to reduction to the ranks and forfeiture of all pay and allowances now due. As thus mitigated the sentence will be duly executed. Private *Sinclair* will be released from confinement and restored to duty.

(4.) The proceedings, findings and sentence in the case of Private *John Murphy*, Company "E," 22d Infantry, are approved. Upon the recommendation of a majority of the members of the court, and in consideration of the prisoner's previous long and faithful service, the sentence is mitigated to forfeiture of all pay and allowances now due. As thus mitigated the sentence will be duly executed. Private *Murphy* will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Private *Frank Stuart*, Company "K," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA, *Saint Paul, Minn., January 15, 1871.*

GENERAL ORDERS, }
No. 2. }

I. Before a General Court Martial, which convened at Fort Rice, D. T., by virtue of Special Orders No. 164, series of 1870, from these Headquarters, and of which Colonel THOMAS L. CRITTENDEN, 17th Infantry, is President, was arraigned and tried:

Private *Frank Stuart*, Company "K," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that Private *Frank Stuart*, Company "K," 17th U. S. Infantry, having been duly enlisted in the service of the United States, did desert the said service at Fort Sully, D. T., on or about the 5th day of August, 1870, and did remain absent until arrested near Camp Crow Creek Agency, D. T., on or about the 10th day of August, 1870."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that Private *Frank Stuart*, Company 'K,' 17th U. S. Infantry, did on or about the 5th day of August, 1870, while absentsing himself from his Company and command at Fort Sully, D. T., take with him one breech-loading rifled musket, one cartridge-box, and forty rounds of ammunition, these articles being the property of the United States, and for which his Company Commander, Captain John H. Donovan, 17th U. S. Infantry, was held responsible; and which articles were taken from him, Private *Frank Stuart*, at the time of his arrest, on or about the 10th day of August, 1870, thereby attempting to defraud the Government of the United States of the aforesaid articles of property. This at Fort Sully, D. T., on or about the 5th day of August, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty," except the word "cartridge-box."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty," except the word "cartridge-box."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due: to be dishonorably discharged the service of the United States, and to be confined at hard labor at such place as the Commanding General may direct, for a period of two years."

II..The proceedings and findings in the foregoing case are approved. The sentence is approved, and will be duly carried into execution. The Minnesota State Penitentiary, at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Sergeant *James Sweeney*, Company "K," 20th Infantry.
 2. Private *John O'Neill*, Company "K," 20th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA, *Saint Paul, Minn., January 16, 1871.*

GENERAL ORDERS, }
No. 3. }

I. Before a General Court Martial, which convened at Fort Pembina, D. T., (late Fort George H. Thomas,) by virtue of Special Orders No. 149, series of 1870, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, were arraigned and tried:

1st. Sergeant *James Sweeney*, Company "K," 20th Infantry.

CHARGE I—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that Sergeant *James Sweeney*, Company "K," 20th Infantry, was drunk and disorderly, and did engage in a fight with Private *James Gilligan*, Company "K," 20th Infantry. All this at Fort Pembina, D. T., on or about the 10th day of November, 1870."

Specification II.—"In this, that he, Sergeant *James Sweeney*, Company "K," 20th Infantry, being at the time in ar-

rest, did attack and attempt to strike First Sergeant August Arndt, Company 'K,' 20th Infantry—Sergeant Arndt being at the time in the execution of his office as First Sergeant—and did continue to create a disturbance until it was necessary to confine him in the guard-house. All this at Fort Pembina, D. T., on or about November 10, 1870."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this, that Sergeant *James Sweeney*, Company 'K,' 20th Infantry, having been ordered by his Commanding Officer, Captain A. A. Harbach, 20th Infantry, to remain in his quarters, did disobey said order by leaving his quarters and creating a disturbance outside. All this at Fort Pembina, D. T., on or about the 10th day of November, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows.

To the 1st *Specification*, 1st Charge—"Not Guilty."

To the 2d *Specification*, 1st Charge—"Guilty," except the words "*to create a disturbance.*"

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be reduced to the grade of a private soldier; to forfeit to the United States ten (10) dollars of his monthly pay per month for the period of one (1) year, and to be confined at hard labor under charge of the guard, at the station of his Company, for the same period."

2d. Private *John O'Neill*, Company "K," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that Private *John O'Neill*, Company 'K,' 20th Infantry, was drunk and disorderly in the Company quarters of 'K' Company, 20th Infantry. All this at Fort Pembina, D. T., on or about November 10th, 1870."

Specification II.—"In this, that Private *John O'Neill*, Company 'K,' 20th Infantry, having been ordered to the guard-house by 1st Sergeant August Arndt, Company 'K,' 20th Infantry, did resist and refuse to obey such order, and did seize hold of Sergeant Arndt, and did offer further resistance by seizing Sergeant Leonard Miller, Company 'K,' 20th Infantry, and pulling him down on to a bunk, and did continue to resist until it was necessary to have him carried to the guard-house. All this at Fort Pembina, D. T., on or about the 10th day of November, 1870."

To which CHARGE and *Specifications* the accused pleaded as follows:

To the 1st *Specification*—"Guilty."

To the 2d *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."
 Of the 2d *Specification*—"Guilty."
 Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars per month of his monthly pay for the period of three (3) months, and to be confined at hard labor, under charge of the guard, at the station where his Company may be serving, for the same period."

11.. The proceedings, findings and sentence in the case of Sergeant *James Sweeney*, Company "K," 20th Infantry, are approved. Upon the recommendation of the members of the court, the sentence is mitigated to *reduction to the ranks and forfeiture of all pay now due*. As thus mitigated the sentence will be duly executed. Private *Sweeney* will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *John O'Neill*, Company "K," 20th Infantry, are approved. The sentence is approved and will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Chas. J. O'Shaughnessy*, Reg't'l Band, 20th Inf't'y.
 2. Private *Chas. C. Waterhouse*, Company "E," 20th Inf't'y.
 3. Private *Patrick J. O'Brien*, Company "F," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 17, 1871.

GENERAL ORDERS, 1 No. 4.

I. Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders Nos. 159 and 198, series of 1870, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried:

1st. Private *Charles J. O'Shaughnessy*, Regimental Band, 20th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Chas. J. O'Shaughnessy*, Regimental Band, 20th Infantry, was drunk and disorderly. This at Fort Snelling, Minn., on or about the 30th day of October, 1870."

Specification II.—“In this, that he, Private *Chas. J. O'Shaughnessy*, Regimental Band, 20th Infantry, did offer violence to, and resist Sergeant Charles E. Molen, Company ‘E,’ 20th Infantry, by striking and tearing the clothes of the said Sergeant Charles E. Molen, he, the said Sergeant, being in the proper performance of his duty at the time. This at Fort Snelling, Minn., on or about the 30th day of October, 1870.”

Specification III.—“In this, that he, Private *Charles J. O'Shaughnessy*, Regimental Band, 20th Infantry, while being taken to the guard-house, by the guard, did violently resist said guard, and did strike and kick them, they being at the time in the proper performance of their duty. This at Fort Snelling, Minn., on or about the 30th day of October, 1870.”

CHARGE II.—“Violation of the 6th and 9th Articles of War.”

Specification.—“In this, that he, Private *Charles J. O'Shaughnessy*, Regimental Band, 20th Infantry, having been ordered by the officer of the day, Captain William Fletcher, 20th Infantry, to walk to the guard-house, did refuse, saying: ‘Carry me, God damn you, carry me,’ or words to that effect. This at Fort Snelling, Minn., on or about the 30th day of October, 1870.”

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the 1st *Specification* 1st Charge—“Guilty.”

To the 2d *Specification*, 1st Charge—“Not Guilty.”

To the 3d *Specification*, 1st Charge—“Not Guilty.”

To the 1st CHARGE—“Guilty.”

To the *Specification*, 2d Charge—“Not Guilty.”

To the 2d CHARGE—“Not Guilty.”

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 3d *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged and drummed out of the service, and to be confined at hard labor, under charge of the guard, wearing a twelve pound ball and chain, for twelve (12) months."

2d. Private Charles C. Waterhouse, Company "E," 20th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private Charles C. Waterhouse, Company "E," 20th Infantry, did feloniously take, steal and carry away a box containing provisions, the property of Captain Edwin C. Mason, 20th Infantry, or was a party to said act. This at or near Gull Lake, Minn., on or about the 27th day of October, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

" *To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service, with the word 'THIEF' on his back, and to be confined in the Penitentiary at Stillwater, Minn., for two years.*"

3d. Private *Patrick J. O'Brien*, Company "F," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Patrick J. O'Brien*, Company "F," 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Abercrombie, D. T., on or about the 15th day of September, 1870, and did remain absent until apprehended at St. Louis, Mo., on or about 17th November, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows.

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

" *To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service, and to be confined at such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds.*"

II..The proceedings and findings in the case of Private *Charles J. O'Shaughnessy*, Regimental Band, 20th Infantry, are approved. The sentence is approved, and will be duly carried into execution.

(2.) The proceedings and findings in the case of Private *Charles C. Waterhouse*, Company "E," 20th Infantry, are approved. The sentence is approved and will be duly carried into execution.

(3.) The proceedings and findings in the case of Private *Patrick J. O'Brien*, Company "F," 20th Infantry, are approved. The sentence is approved, and will be duly carried into execution at Fort Snelling, Minn., which is designated as the place of confinement.

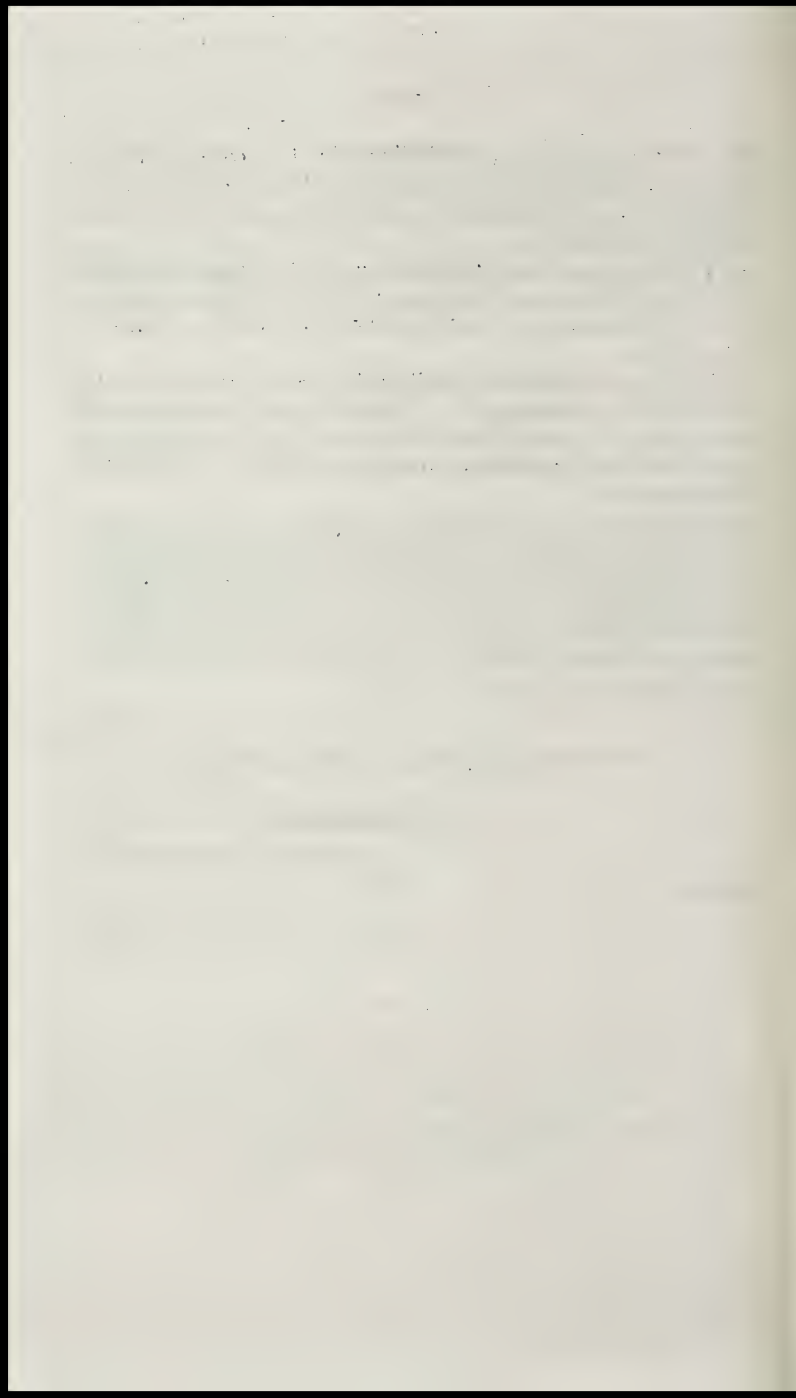
In consideration of the length of time the prisoners have already been in confinement, the terms of confinement, imposed by the foregoing sentences, will be considered as having commenced—in the case of Private *O'Shaughnessy* on the 30th day of October, 1870 ; in the case of Private *Waterhouse* on the 27th day of October, 1870 ; and in the case of Private *O'Brien* on the 17th day of November, 1870.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 23, 1871.

GENERAL ORDERS {
No. 5. }

The following decision of the Quartermaster General of the Army, relative to transportation of officers' servants, is published for the information and guidance of all concerned:

"The regulations are not changed in regard to the transportation of officers' servants. An officer, when changing station, is entitled to transportation of his authorized servants, which transportation must be furnished in kind by the Quartermaster's Department, as under the law no payment in money by this Department can be made to the officer as reimbursement of the traveling expenses of his servants.

"M. C. MEIGS,

"Quartermaster General U. S. Army,

"Brevet Major General."

Quartermaster General's Office,)
November 2, 1870.)

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 26, 1871.

GENERAL ORDERS,)
No. 6.)

General Orders No. 98, series of 1870, from these Headquarters, are hereby so modified as to direct the old arms to be carefully packed in the boxes in which the new ones are received, and sent by *fast freight* to Major S. *Crispin*, Ordnance Officer, New York City; freight charges to be paid by Major *Crispin*.

The Quartermaster's Department will take charge of the boxes of old arms, and transport them with the least practicable delay to the nearest shipping point whence lines of fast freight can be made available for the remaining transportation to their destination.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. J. GREENE,

Assistant Adjutant General

OFFICIAL.

to the end of the world

G. C. M.

Private *Thomas Fitzgerald*, Company "C," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 1, 1871.

GENERAL ORDERS,) No. 7.)

I. . Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, series of 1870, from these Headquarters, and of which Lieutenant Colonel ELWELL S. OTIS, 22d Infantry, is President, was arraigned and tried :

Private *Thomas Fitzgerald*, Company "C," 22d Infantry.

CHARGE I.—" Theft, to the prejudice of good order and military discipline."

Specification I.—" In this, that he, *Thomas Fitzgerald*, an enlisted soldier in the service of the United States, and a private of "C" Company, 22d Infantry, did on or about the 11th day of October, 1870, at the military post of Fort Randall, D. T., and in the Company quarters of "G" Company, 22d Infantry, feloniously steal, take and carry away from Michael Bryan, then Corporal of "C" Company, 22d Infantry—since discharged the service of the United

States—a sum of money amounting to five hundred and ten (510) dollars.”

Specification II.—“ In this, that he, *Thomas Fitzgerald*, private of ‘C’ Company, 22d Infantry, did feloniously take, steal and carry away and dispose of, to his own advantage, a quantity of butter, to wit: About forty (40) pounds from the Post Commissary of Fort Randall, D. T., which property belonged to the United States, and for which Lieutenant Davies, 22d Infantry, was and is responsible. This at Fort Randall, D. T., on or about the 3d day of October, 1870.”

CHARGE II.—“ Knowingly receiving, concealing and appropriating to his own use, stolen money belonging to an enlisted man, to the prejudice of good order and military discipline.”

Specification.—“ In this, that he, *Thomas Fitzgerald*, a duly enlisted soldier, and private of ‘C’ Company, 22d Infantry, did receive a certain sum of stolen money, to wit: About five hundred and ten (510) dollars, knowing the same to have been stolen from Corporal Michael Bryan, ‘C’ Company, 22d Infantry, and did conceal the same and appropriate to his own use. This at Fort Randall, D. T., on or about the 11th day of October, 1870.”

CHARGE III.—“ Violation of the 38th Article of War.”

Specification.—“ In this, that he, Private *Thomas Fitzgerald*, Company ‘C,’ 22d Infantry, did sell, or unlawfully dispose of one wool blanket, which had been issued to him by his Company Commander, and which was part of his allowance of clothing. All this at Fort Randall, D. T., on or about the 9th day of October, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows.

To the 1st *Specification*, 1st Charge—"Not Guilty."

To the 2d *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Not Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

Of the *Specification*, 3d Charge—"Not Guilty."

Of the 3d CHARGE—"Not Guilty."

SENTENCE.

"To be dishonorably discharged from the United States service, with loss of all pay and allowances that are now due or may become due, and to be confined at hard labor in such penitentiary as the Major General Commanding the Department, may designate, for the period of five years."

II. The proceedings and findings in the foregoing case are approved. The sentence is approved and will be duly carried into execution. The Minnesota State Penitentiary at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

The first part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors which have shaped the development of the United States, including the influence of the British, the Spanish, and the French. The author also discusses the role of the American people in the development of the country, and the importance of the American Revolution. The paper concludes by discussing the future of the United States, and the role of the American people in shaping that future.

The second part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors which have shaped the development of the United States, including the influence of the British, the Spanish, and the French. The author also discusses the role of the American people in the development of the country, and the importance of the American Revolution. The paper concludes by discussing the future of the United States, and the role of the American people in shaping that future.

The third part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors which have shaped the development of the United States, including the influence of the British, the Spanish, and the French. The author also discusses the role of the American people in the development of the country, and the importance of the American Revolution. The paper concludes by discussing the future of the United States, and the role of the American people in shaping that future.

The fourth part of the paper discusses the importance of the study of the history of the United States. It is argued that a knowledge of the past is essential for a full understanding of the present. The author then goes on to discuss the various factors which have shaped the development of the United States, including the influence of the British, the Spanish, and the French. The author also discusses the role of the American people in the development of the country, and the importance of the American Revolution. The paper concludes by discussing the future of the United States, and the role of the American people in shaping that future.

G. C. M.

Private *Charles Leary*, Company "D," 9th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 2, 1871.

GENERAL ORDERS,)
No. 8.)

I., Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders Nos. 124 and 135, series of 1870, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, was arraigned and tried:

Private *Charles Leary*, Company "D," 9th Infantry.

CHARGE.—"Violation of the 22d Article of War."

Specification.—"In this, that he, Private *Charles Leary*, Company "D," 9th Infantry, a duly enlisted soldier in the army of the United States, did, without a regular discharge from the company and regiment in which he last served, namely, Company "D," 9th Infantry, enlist as a soldier in the army of the United States. This at Chicago, Ill., on or about the 30th day of June, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are now or may become due : to be confined at hard labor, in charge of the guard, for the period of six months, then to be indelibly marked on the left hip with the letter 'D,' one and a half inches long, and drummed out of the service of the United States."

II. . The proceedings and findings in the foregoing case are approved. The sentence is approved and will be duly executed, except so much as relates to indelibly marking the prisoner with the letter "D," which is remitted.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

Private *John Wallace*, Company "E," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 3, 1871.

GENERAL ORDERS, }
No. 9. }

I..Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 165, series of 1870, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, was arraigned and tried :

Private *John Wallace*, Company "E," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *John Wallace*, Company "E," 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service while in confinement at Fort Sully, D. T., awaiting trial for desertion, and did remain absent until apprehended at or near Medicine Creek, D. T., on or about October 18, 1870, thirty dollars (\$30) reward being paid for his apprehension. All this at or near Fort Sully, D. T., on or about the 18th day of October, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due him; to be dishonorably discharged the service of the United States, and be confined at hard labor in such military prison as the Commanding General may direct, for four (4) years."

II..The proceedings and findings in the foregoing case are approved. The sentence is approved, and will be duly carried into execution. Fort Sully, D. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Richard O'Neill*, Company "I," 20th Infantry.
 2. Private *Joseph Farrell*, Company "I," 20th Infantry.
 3. Private *Frank L. Shelby*, Company "I," 20th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 4, 1871.

GENERAL ORDERS,)
No. 10.)

I., Before a General Court Martial, which convened at Fort Pembina, D. T., (late Fort George H. Thomas,) by virtue of Special Orders No. 149, series of 1870, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, were arraigned and tried:

1st. Private *Richard O'Neill*, Company "I," 20th Infantry.

CHARGE.—"Desertion."

Specification.—“In this, that he, *Richard O'Neill*, a private of Company "I," 20th Infantry, and a duly enlisted soldier in the service of the United States, did desert the service on or about the twenty-third day of September, eighteen hundred and seventy, and did remain absent from the station of his company until brought back under guard

on or about the tenth day of November, eighteen hundred and seventy. This at Fort Pembina, D. T."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and to be confined at hard labor at such military prison as the Commanding General of the Department may direct, for the period of three (3) years."

2d. Private *Joseph Farrell*, Company "I," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, *Joseph Farrell*, a private of Company 'I,' 20th Infantry, and a duly enlisted soldier in the service of the United States, did desert the service on or about the twenty-third day of September, eighteen hundred and seventy, and did remain absent from the station of his company until brought back under guard, on or about the tenth day of November, eighteen hundred and seventy. This at Fort Pembina, D. T."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and to be confined at hard labor at such military prison as the Commanding General of the Department may direct, for the period of three (3) years."

3d. Private *Frank L. Shelby*, Company "I," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, *Frank L. Shelby*, a private of Company "I," twentieth Infantry, and a duly enlisted soldier in the service of the United States, did desert the service on or about the twenty-third day of September, eighteen hundred and seventy, and did remain absent from the station of his company until brought back under guard, on or about the tenth day of November, eighteen hundred and seventy. This at Fort Pembina, D. T."

To which *CHARGE* and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and to be confined at hard labor at such military prison as the Commanding General of the Department may direct, for the period of three (3) years."

II..The proceedings and findings in the foregoing cases of Privates *Richard O'Neill, Joseph Farrell and Frank L. Shelby*, Company "I," 20th Infantry, are approved. The sentences are approved, and will be duly carried into execution. Fort Pembina, D. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *Thomas Hassett*, Company "G," 20th Infantry.
 2. Private *William Palmer*, Company "G," 20th Infantry.
 3. Private *John Perry*, Company "G," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 5, 1871.

GENERAL ORDERS, }
No. 11. }

I., Before a General Court Martial, which convened at Fort Ripley, Minn., by virtue of Special Orders Nos. 9 and 11, current series, from these Headquarters, and of which Major J. C. BOOTES, 20th Infantry, is President, were arraigned and tried:

1st. Private *Thomas Hassett*, Company "G," 20th Infantry.

CHARGE I.—"Violation of the 50th Article of War."

Specification.—"In this, that he, Private *Thomas Hassett*, Company 'G,' 20th Infantry, did quit his guard without permission. This at or near Crow Wing, Minn., on or about the 14th day of November, 1870."

CHARGE II—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, Private *Thomas Hassett*, Company 'G,' 20th Infantry, being a member of the guard, and having been entrusted with a prisoner for safe keeping, did leave the place designated for the guard, and did permit the prisoner to escape. This at or near Crow Wing, Minn., on or about the 14th day of November, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States fifteen dollars (\$15) of his monthly pay per month, for three (3) months, and to be confined at hard labor, under charge of the guard, for the same period."

2d. Private *William Palmer*, Company "G," 20th Inf'ty.

CHARGE I.—"Disobedience of orders."

Specification.—"In this, that he, Private *William Palmer*, Company 'G,' 20th Infantry, having been ordered by his Commanding Officer, Captain Edwin C. Mason, 20th Infantry, (through the 1st Sergeant of his Company, Frank

W. Bryant,) to abstain from the use of intoxicating liquor during the absence of the detachment of which he was a member from Fort Ripley, Minn., (ordered to the line of the Northern Pacific Railroad,) did disobey said order and become so drunk as to be unable to perform his duties as a soldier. This at or near the post of Fort Ripley, Minn., and 'Smith's Camp,' Minn., on or about the 29th and 31st days of December, 1870."

CHARGE II.—"Drunkenness, to the prejudice of good order and military discipline."

Specification.—"In this, that the said Private *William Palmer*, Company 'G,' 20th Infantry, while on duty as a member of a detachment ordered out to quell a riot existing among the workmen at 'Smith's Camp,' on the Northern Pacific Railroad, did become so drunk as to be unable to perform his duties as a soldier. This at or near 'Smith's Camp,' on the Northern Pacific Railroad, on the 31st day of December, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States fifteen dollars of his month."

ly pay per month, for two months, and to be confined at hard labor, under charge of the guard, for thirty (30) days."

3d. Private *John Perry*, Company "G," 20th Infantry.

CHARGE—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John Perry*, Company "G," 20th Infantry, did feloniously take, steal and carry away, and appropriate to his own use, one (1) gallon of wine, (more or less) the property of a Mr. Greenleaf, of the value of five (5) dollars, (more or less). This at Leech Lake, Minn., on or about the 10th day of November, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows.

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are or may become due him, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and to be confined in such State Prison as the Commanding General may direct, for one year."

II..The proceedings and findings in the foregoing cases of Privates *Thomas Hussett* and *William Palmer*, Company "G,"

20th Infantry, are approved. The sentences are approved, and will be duly carried into execution.

The proceedings and findings in the case of Private *John Perry*, Company "G," 20th Infantry, are approved. The sentence is approved, and will be duly executed. The Minnesota State Penitentiary at Stillwater, Minn., is designated as the place of confinement.

III..The General Court Martial which convened at Fort Ripley, Minn., by virtue of Special Orders Nos. 9 and 11, current series, from these Headquarters, and of which Major L. C. BOOTES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 7, 1871.

GENERAL ORDERS, }
No. 12. }

To meet the requirements of War Department General Orders No. 7, current series, the following named officers are announced as composing the Staff of the Department Commander, until further orders, viz:

PERSONAL STAFF.

Captain *John S. Wharton*, 19th Infantry, Aide-de-Camp.

2d Lieutenant *John B. Rodman*, 20th Infantry, Aide-de-Camp.

DEPARTMENT STAFF.

Major *O. D. Greene*, Adjutant General's Department, Assistant Adjutant General.

Major *G. Norman Lieber*, Judge Advocate U. S. A., Judge Advocate.

Lieutenant Colonel *S. B. Holabird*, Deputy Quartermaster General.

Chief Quartermaster, Depot, Purchasing and Post Quartermaster.

Captain *J. H. Gilman*, Subsistence Department, Chief Commissary of Subsistence, Depot, Purchasing and Post Commissary of Subsistence.

Surgeon *J. F. Head*, Medical Department, Medical Director and Attending Surgeon of the post.

Major *C. T. Larned*, Pay Department, Chief Pay Master.

Captain *R. Chandler*, 7th Infantry, Acting Assistant Adjutant General.

Captain *Henry Clayton*, 17th Infantry, Acting Assistant Inspector General and Acting Ordnance officer, and 2d Lieutenant *G. S. L. Ward*, 22d

Infantry, Acting Chief Signal Officer and Acting Assistant Quartermaster,

are hereby relieved from duty on the Department Staff, and will join

their proper stations under such Special Orders from these Headquarters,

as they may receive. Acting Assistant Surgeon *A. G. Brisbane* is

relieved as Attending Surgeon and will report to the Medical Director

for annulment of his contract.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Captain *Charles J. Dickey*, 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 11, 1871.

GENERAL ORDERS, } No. 13. }

I. Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 237, series of 1870, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, was arraigned and tried:

Captain *Charles J. Dickey*, 22d Infantry.

CHARGE I.—“Conduct to the prejudice of good order and military discipline.”

Specification.—“In this, that Captain *Charles J. Dickey*, 22d U. S. Infantry, did without cause or provocation, use the following abusive language: ‘You are a liar, a God damned liar,’ or words to that effect, towards Captain E. F. Wenkebach, U. S. Army, in the presence of citizens and officers, to the scandal of the U. S. Army, and discredit of an officer and a gentleman. All this at Fort Sully, D. T., on or about the 26th day of November, 1870.”

CHARGE II.—“Conduct unbecoming an officer and a gentleman.”

Specification.—“In this, that Captain *Charles J. Dickey*, 22d U. S. Infantry, did, without cause or provocation, use the following abusive language: ‘You are a liar, a God damned liar,’ or words to that effect, towards Captain *E. F. Wenckebach*, U. S. Army, in the presence of officers and citizens, to the scandal of the U. S. Army, and discredit of an officer and a gentleman. All this at Fort Sully, D. T., on or about the 26th day of November, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—“Not Guilty.”

To the 1st CHARGE—“Not Guilty.”

To the *Specification*, 2d Charge—“Not Guilty.”

To the 2d CHARGE—“Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“Guilty,” except the words “*without cause or provocation*,” and the words “*to the scandal of the U. S. Army, and the discredit of an officer and a gentleman*.”

Of the 1st CHARGE—“Guilty.”

Of the *Specification*, 2d Charge—“Guilty,” except the words “*without cause or provocation*,” and the words “*to the scandal of the U. S. Army, and the discredit of an officer and a gentleman*.”

Of the 2d CHARGE—“Not Guilty.”

SENTENCE.

“To be confined to the limits of the reserve of the military post at which he may be serving, for three (3) calendar months,

and to forfeit one half of his monthly salary for the same period."

II..The proceedings, findings and sentence of the Court in the foregoing case of Captain *Charles J. Dickey*, 22d U. S. Infantry, are approved, and the sentence will be duly executed.

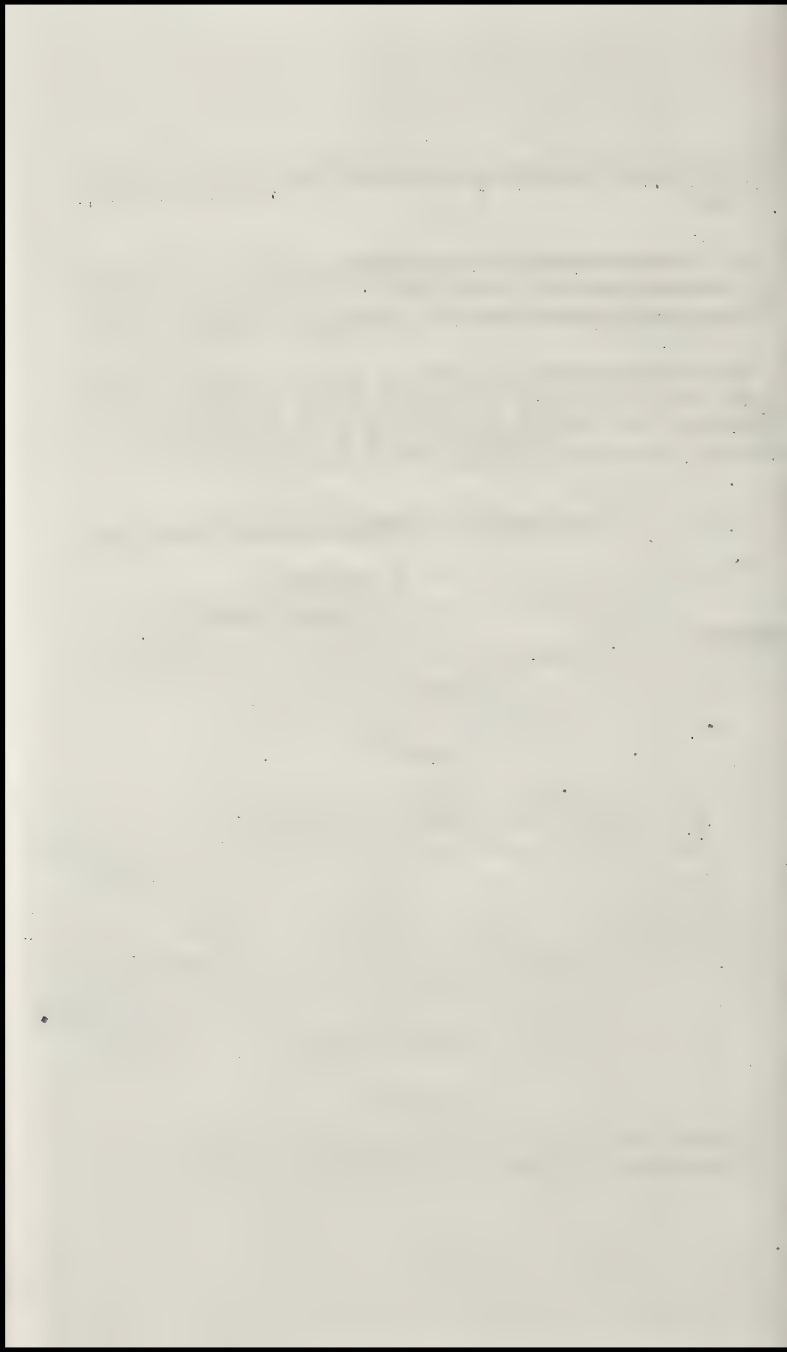
III..The General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 237, series of 1870, from these Headquarters, and of which Colonel D. S. Stanley, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *William James*, Company "G," 22d Infantry.
 2. Sergeant *Chas. M. Ainsworth*, Company "I," 22d Inf'ty.
 3. Private *John S. Robbins*, Company "I," 22d Infantry.
 4. Private *John Jones*, Company "I," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 13, 1871.

GENERAL ORDERS,)
No. 14.)

1. . Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, series of 1870, from these Headquarters, and of which Lieutenant Colonel ELWELL S. OTIS, 22d Infantry, is President, were arraigned and tried:

1st. Private *William James*, Company "G," 22d Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this, that he, Private *William James*, Company "G," 22d Infantry, having been duly detailed as a member of the guard, and duly posted over the Commissary building of the post, did, without being regularly relieved, leave his post. All this at Fort Randall, D. T..

on or about the 27th day of December, 1870, between the hours of one and three o'clock A. M."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of six (6) months, and to lose all pay for the same period."

2d. Sergeant *Chas. M. Ainsworth*, Company "I," 22d Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Sergeant *Charles M. Ainsworth*, Company "I," 22d Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Crow Creek Agency, D. T., on or about the 3d day of December, 1870, and did remain absent therefrom until apprehended at or near Papneau's Bottom, D. T., on or about the 7th day of December, 1870."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be reduced to the ranks, and to be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of two years, and to forfeit all pay and allowances for the same period."

3d. Private *John S. Robbins*, Company "I," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *John S. Robbins*, Company 'I,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Crow Creek Agency, D. T., on or about the 3d day of December, 1870, and did remain absent therefrom until apprehended at or near Papneau's Bottom, D. T., on or about the 7th day of December, 1870. All this on or about the time and place specified."

To which *CHARGE* and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

" *To be confined at hard labor at the post where his company may be serving, for two years, with loss of all pay and allowances for the same period.*"

4th. Private *John Jones*, Company "I," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *John Jones*, Company 'I,' 22d U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Crow Creek Agency, D. T., on or about the 30th day of October, 1870, and did remain absent therefrom until apprehended at or near Pease Creek, D. T., on or about the 6th of December, 1870. All this on or about the time and place specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

" *To be confined at hard labor, under charge of the guard, at the post where his company may be serving, for two years, and to forfeit all pay and allowances for the same period.*"

II..The proceedings, findings and sentences in the foregoing cases of Private *William James*, Company "G," 22d Infantry, Sergeant *Charles M. Ainsworth*, Company "I," 22d Infantry, and Privates *John S. Robbins* and *John Jones*, Company "I," 22d Infantry, are approved. The sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

PLATE 1

THE BOWLING GREEN, LONDON

G. C. M.

1. Private (late Sergeant) *Daniel E. Munger*, Company "I," 7th Infantry.
 2. Sergeant *Perry P. Perry*, Company "D," 7th Infantry.
 3. Private *William N. Webb*, Company "I," 7th Inf'ty.
 4. Private *Henry Scott*, Company "I," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 14, 1871.

GENERAL ORDERS, }
No. 15. }

I. Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders Nos. 112 and 209, series of 1870, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:

1st. Private (late Sergeant) *Daniel E. Munger*, Company "I," 7th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this, that he, *Daniel E. Munger*, Sergeant of Company "I," 7th U. S. Infantry, being on duty in charge of the guard over part of the beef herd, did become

so much under the influence of intoxicating liquor, as to be unable properly to discharge his duty as a soldier. This at Fort Buford, D. T., on or about the 23d day of September, 1870."

CHARGE II.—"Violation of the 50th Article of War."

Specification.—"In this, that he, *Daniel E. Munger*, Sergeant of Company 'I,' 7th U. S. Infantry, having been detailed to take charge of the guard over one-half of the beef herd, did, without permission of his superior officer, quit his said guard and did not return to it again. This at Fort Buford, D. T., on or about the 23d day of September, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."
 To the 1st CHARGE—"Not Guilty."
 To the *Specification*, 2d Charge—"Not Guilty."
 To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Not Guilty."
 Of the 1st CHARGE—"Not Guilty."
 Of the *Specification*, 2d Charge—"Guilty."
 Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the post guard, at the post where his company may be serving, for the period of three months, and to forfeit to the United States ten dollars per month of his monthly pay, for the same period."

2d. Sergeant *Perry P. Perry*, Company "D," 7th Inf'y.

CHARGE.—"Disobedience of orders."

Specification.—"In this, that he, Sergeant *Perry P. Perry*, Company "D," 7th Infantry, having been ordered by Captain Charles C. Rawn, 7th Infantry, (he being then in command of the battalion Companies "D," "F," and "I," 7th Infantry,) to report in arrest to Lieutenant Wm. L. English, 7th Infantry, Post Adjutant, did fail to obey such order. This at Fort Buford, Dakota Territory, on or about the 23d (twenty-third) of July, 1870."

To which CHARGE and *Specification* the accused pleaded as follows.

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "acquit him."

3d. Private *William N. Webb*, Company "I," 7th Inf'y.

CHARGE.—"Sleeping on post, in violation of the 46th Article of War."

Specification.—"In this, that he, Private *William N. Webb*, Company "I," 7th Infantry, having been regularly detailed as a member of the guard, and as such having been posted as a sentinel on post No. 3, in charge of Quartermasters'

storehouses, blacksmith shop and hay, did go to sleep upon said post, thereby endangering said government property. This at Fort Buford, D. T., on or about the 12th day of October, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the post guard, at the post where his company may be serving, for the period of eight months, and to forfeit to the United States ten dollars per month of his monthly pay, for the same period."

4th. Private *Henry Scott*, Company "I," 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, the said Private *Henry Scott*, Company 'I,' 7th Infantry, being one of the post bakers, did, contrary to repeated instructions, deposit the ashes from the ovens in a barrel near the post bakery, without having first extinguished the live coals, whereby said bakery was set on fire. This at Fort Buford, D. T., on or about the 3d day of August, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him.*"

II..The proceedings, findings and sentences in the cases of Private (late Sergeant) *Daniel E. Munger*, Company "I," 7th Infantry, and Private *William N. Webb*, Company "I," 7th Infantry, are approved, and the sentences will be duly executed.

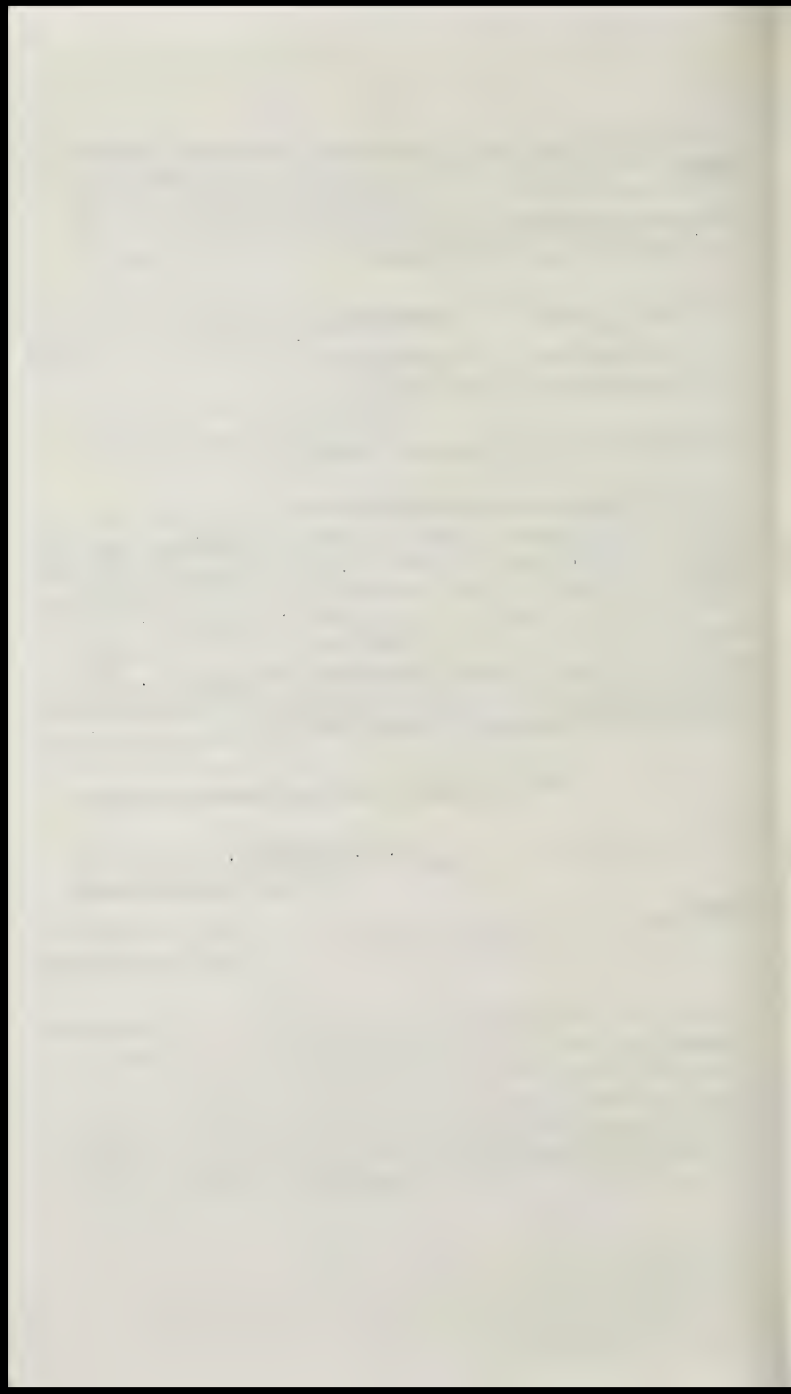
In the cases of Serg't *Perry P. Perry*, Company "D," 7th Infantry, and Private *Henry Scott*, Company "I," 7th Infantry, the proceedings, findings and acquittals are approved. Serg't *Perry* will be restored to duty. Similar orders have already been issued in the case of Private *Henry Scott*.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 15, 1871.

GENERAL ORDERS, {
No. 16. }

All public horses at posts in this Department, not in the Cavalry service, are intended for the Mounted Infantry, Indian Scouts, Express or Mail service. At each post the detachment of Mounted Infantry and the Scouts should be under command of a Commissioned Officer, who will be held responsible and make the required return for all the public horses at the post. When the necessities of the service require that this officer shall also perform the duty of Acting Assistant Quartermaster of the post, his "Return of public horses" must be made separate from the required returns of the Quartermaster's Department, and transmitted to these Headquarters addressed to the Assistant Adjutant General of the Department.

Whenever the number of horses at any post becomes greater than is needed for the service thereat, or greater than can be properly cared for by the detachment, the fact will be at once reported by the Post Commander, to these Headquarters, for the information and action of the Department Commander.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *William C. Hanes*, Company "D," 20th Inf't'y.
 2. Private *Francis Armstrong*, Company "D," 20th Inf't'y.
 3. Private *John Smith*, alias John Schmidt, Company "D," 20th Infantry.
 4. Private *John Schmidt*, Company "C," 10th Infantry.
 5. Corporal *Washington Harris*, Company "D," 20th Inf't'y.
 6. Private *John Cain*, Company "D," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 16, 1871.

GENERAL ORDERS. } No. 17. }

I., Before a general Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders, No. 13, current series, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, were arraigned and tried:

1st. Private *Wm. C. Hanes*, Company "D," 20th Inf't'y.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this, that he, Private *William C. Hanes*, Company 'D,' 20th Infantry, being on duty as a member of the police party, at Fort Abercrombie, D. T., was so

much under the influence of intoxicating liquor as to be unable to perform any military duty. All this at or near Fort Abercrombie, D. T., on or about the sixth (6) day of November, 1870."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *William C. Hanes*, Company 'D,' 20th Infantry, did, without just cause or provocation, throw one or more pieces of fire-wood at Indian Scout Ehawihotan, U. S. A., striking him about the body and arms, thereby inflicting bodily injury on said scout Ehawihotan, U. S. A. All this at or near Fort Abercrombie, D. T., on or about the sixth (6) day of November, 1870."

Specification II.—"In this, that he, Private *William C. Hanes*, Company 'D,' 20th Infantry, did, without just cause or provocation, strike, with his clenched fist, in the face, Indian Scout Hotonka, alias Jack, U. S. A., thereby inflicting bodily injury on said Indian Scout Hotonka, alias Jack, U. S. A. All this at or near Fort Abercrombie, D. T., on or about the sixth (6) day of November, 1870."

Specification III.—"In this, that he, Private *William C. Hanes*, Company 'D,' 20th Infantry, did willfully and maliciously destroy one glazed sash, the property of the United States, valued at about three dollars, (\$3.00). All this at or near Fort Abercrombie, D. T., on or about the sixth (6) day of November, 1870."

Specification IV.—"In this, that he, Private *William C. Hanes*, Company 'D,' 20th Infantry, did use threatening and abusive language towards the members of the post guard, to wit: 'God damn you! you God damned ———, I will kill some of you yet: go away from me, I will kick

your God damned guts out,' or words to the same effect, and other threatening and abusive language. All this at or near Fort Abercrombie, D. T., on or about the sixth (6) day of November, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty," except the words "*as to be unable to perform any military duty.*"

To the 1st CHARGE—"Guilty."

To the 1st *Specification*, 2d Charge—"Guilty," except the words "*without just cause or provocation.*"

To the 2d *Specification*, 2d Charge—"Guilty."

To the 3d *Specification*, 2d Charge—"Guilty."

To the 4th *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty," except the words "*without just cause or provocation.*" and attach no criminality thereto.

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 3d *Specification*, 2d Charge—"Guilty."

Of the 4th *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States fifteen (15) dollars per month, of his monthly pay, for three (3) months, and to be confined at hard labor, under charge of the guard, for the same period of time."

2d. Private *Francis Armstrong*, Company "D," 20th Inf'ty.

CHARGE I.—"Embezzlement, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Francis Armstrong*, late Sergeant, Company 'D,' 20th Infantry, while acting as Commissary Sergeant, and when entrusted with the collection of moneys for sales of subsistence stores to officers and company messes, did collect about one hundred and twenty-five (125) dollars, being a part of the proceeds arising from said sales to officers and others, during the month of June, 1870, and did embezzle, misappropriate and fail to properly account for the proceeds of said sales, giving as an excuse for said misappropriation, that the money—about \$125.00—had been stolen from his blouse pocket, and saying that he, *Armstrong*, would make good the amount of said loss to 2d Lieutenant J. A. Yeckley, A. C. S., immediately after pay day. All this at Fort Ransom, D. T., on or about July 9th, 1870, when 2d Lieutenant J. A. Yeckley, A. C. S., on account of physical disability, was unable to properly attend to said collections, and to the various other duties devolving upon him, he being busy turning over his stores, &c., &c., as A. C. S., and A. A. Q. M., at that time."

CHARGE II.—"Desertion."

Specification.—"In this, that he, Private *Francis Armstrong*, late Sergeant, Company 'D,' 20th Infantry, a duly enlisted soldier in the United States service, did desert the same at Fort Ransom, D. T., on or about the night of July 19th, 1870, and did so remain absent until apprehended and arrested at or near Big Stone Lake, Dakota, on or about July 23d, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Guilty," except to the words "*to officers*," "*Embezzle and misappropriate*," wherever they appear in the *Specification*, and "*when 2d Lieutenant J. A. Yeckley, A. C. S., on account of physical disability was unable to properly attend to said collections.*"

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Not Guilty."

Of the 1st CHARGE—"Not Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due, or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, (wearing a twenty-four (24) pound ball attached to his left leg by a chain three (3) feet in length,) at such place as the reviewing authority may direct, for the period of three (3) years."

3d. Private *John Smith*, alias *John Schmidt*, Company "D," 20th Infantry.

CHARGE.—"Desertion."

Specification.—In this, that he, Private *John Smith*, alias *John Schmidt*, Company "D," 20th Infantry, a duly enlisted soldier in the United States service, did desert the same at Fort Ransom, D. T., on or about the night of the 19th of July, 1870, and did so remain absent until appre-

hended and arrested at or near Big Stone Lake, Dakota, on or about July 23d, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due, or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, wearing a ball weighing 24 pounds, attached to his left leg by a chain three (3) feet long, at such place as the reviewing authority may direct, for the period of three (3) years."

4th. Private *John Schmidt*, Company "C," 10th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *John Schmidt*, Company 'C,' 10th U. S. Infantry, a duly enlisted soldier in the service of the United States, did absent himself from his company and regiment, and desert said service while on furlough, from the post of Fort Wadsworth, D. T., between the 19th day of August and the 2d day of September, 1868, and did remain so absent until recognized at Fort Ransom, D. T., about the 13th day of September, 1870.

All this at or near Forts Wadsworth and Ransom, D. T., on or about the dates above specified."

CHARGE II.—" Re-enlisting without a regular discharge, in violation of the 22d Article of War."

Specification.—" In this, that he, Private *John Schmidt*, Company 'C,' 10th Infantry, a duly enlisted soldier in the service of the United States, did, without ever having received a regular discharge from his company and regiment, (Company 'C,' 10th Infantry,) present himself for, and was enlisted into the service of the United States, under the name of *John Smith*. All this at or near Toledo, Ohio, on or about the seventh day of September, 1869."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—" Guilty."

To the 1st CHARGE—" Guilty."

To the *Specification*, 2d Charge—" Guilty."

To the 2d CHARGE—" Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty."

Of the 1st CHARGE—" Guilty."

Of the *Specification*, 2d Charge—" Guilty."

Of the 2d CHARGE—" Guilty."

SENTENCE.

" To forfeit to the United States all pay and allowances that are now due, or that may become due, except the just dues of the laundress ; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, wearing a ball weighing twenty-four (24) lbs., attached to his left leg by a chain three (3) feet long, at such place as the reviewing authority may direct, for the period of three (3) years."

5th. Corporal *Washington Harris*, Company "D," 20th Infantry.

CHARGE I.—"Drunkenness, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Corporal *Washington Harris*, Company 'D,' 20th Infantry, was so much under the influence of intoxicating liquor as to be utterly unable to perform any military duty properly. All this at or near Fort Abercrombie, D. T., on or about the 12th day of January, 1871."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Corporal *Washington Harris*, Company 'D,' 20th Infantry, whilst under the influence of intoxicating liquor, did go to the door of the 1st Sergeant's room shouting: 'Come out here, Smith, and attend to your business, or God damn you, I will make you,' or words to that effect. All this at or near Fort Abercrombie, D. T., on or about the 12th day of January, 1871."

Specification II.—"In this, that he, Corporal *Washington Harris*, Company 'D,' 20th Infantry, did, whilst in the hands of the post guard, call 1st Sergeant Henry C. Smith, Company 'D,' 20th Infantry, a son-of-a-bitch, repeating the words several times, at the same time using the following language: 'Give me a musket and I will break his God damned head,' (meaning 1st Sergeant Smith,) or words of like purport, he (Sergeant Smith,) at the time being in the execution of his office. All this at or near Fort Abercrombie, D. T., on or about the 12th day of January, 1871."

Specification III.—"In this, that he, Corporal *Washington Harris*, Company 'D,' 20th Infantry, did, whilst under

the influence of intoxicating liquor, create a disturbance in his company quarters, by quarreling with other non-commissioned officers, Company 'D,' 20th Infantry. All this at or near Fort Abercrombie, D. T., on or about the 12th day of January, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 3d *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 3d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks and confined at hard labor, under charge of the guard, for the period of one (1) month, and to forfeit to the United States fifteen (15) dollars per month of his monthly pay, for the period of three (3) months."

6th. Private *John Cain*, Company "D," 20th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this, that he, Private *John Cain*, Company

‘D.’ 20th Infantry, having been regularly detailed and mounted as a member of the post guard at Fort Abercrombie, D. T., did become so drunk as to be unable to perform any military duty properly. All this at Fort Abercrombie, D. T., on or about the 9th day of January, 1871.”

CHARGE II.—“Conduct prejudicial to good order and military discipline.”

Specification I.—“In this, that he, Private *John Cain*, Company ‘D.’ 20th Infantry, being a member of the post guard at Fort Abercrombie, D. T., did, without just cause or provocation, strike with his clenched fist, Lance Corporal John Green, Company ‘D.’ 20th Infantry, he, (Lance Corporal Green,) being in the execution of his duty as acting Sergeant of the post guard. All this at Fort Abercrombie, D. T., on or about the 9th day of January, 1871.”

Specification II.—“In this, that he, Private *John Cain*, Company ‘D.’ 20th Infantry, being a member of the post guard at Fort Abercrombie, D. T., and under the influence of intoxicating liquor, did, when arrested by Lance Corporal John Green, Company ‘D.’ 20th Infantry, acting Sergeant of the guard, he being at the time in the execution of his office, seize a musket and attempt to thrust the bayonet into him, (Lance Corporal John Green, Company ‘D.’ 20th Infantry,) at the same time threatening to kill him, using the words: ‘I will kill you, you Dutch son-of-a-bitch!’ or words of like import. All this at Fort Abercrombie, D. T., on or about the 9th day of January, 1871.”

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—“Guilty.”

To the 1st CHARGE—“Guilty.”

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Guilty," except the words "*and attempt to thrust the bayonet into him.*" and "*I will kill you, you Dutch son-of-a-bitch!*"

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, for the period of eight (8) months, and to forfeit to the United States fifteen (15) dollars per month of his monthly pay, for the same period."

11..The proceedings, findings and sentences in the cases of Privates *William C. Hynes*, *Washington Harris* and *John Cain*, Company "D," 20th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *Francis Armstrong*, Company "D," 20th Infantry, are approved. The sentence will be duly executed. Fort Abercrombie, D. T., is designated as the place of confinement.

In the cases of Private *John Schmidt*, alias *John Smith*, a deserter from Company "C," 10th Infantry, and assigned under a new enlistment to Company "D," 20th Infantry, the proceedings, findings and sentences are approved, but, upon the unanimous recommendation of the members of the court, the combined sentences are mitigated so as to limit the whole punishment to that proscribed in one of the sentences. As thus mitigated, the sentences will be duly executed. Fort Abercrombie, D. T., is designated as the place of confinement.

III..The General Court Martial which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 13, current series, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL..

G. C. M.

Private *Frederick Kamphner*, Company "E," 20th Inf'ty.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 18, 1871.

GENERAL ORDERS, }
No. 18. }

I. . Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 27, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, was arraigned and tried:

Private *Frederick Kamphner*, Company "E," 20th Inf'ty.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Frederick Kamphner*, 'E' Company, 20th Infantry, being a member of the guard, duly mounted, and having in charge Private Charles E. Waterhouse, 'E' Company, 20th Infantry, a prisoner awaiting sentence of a General Court Martial, did permit said Waterhouse to escape. This at Fort Snelling, Minn., on the 5th day of February, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows.

To the *Specification*—"Guilty."
 To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."
 Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit twelve dollars (\$12) of his monthly pay per month, for six (6) months, and to be confined at hard labor, in charge of the guard, for the same period, wearing a ball and chain weighing twelve pounds."

II..The proceedings, findings and sentence in the foregoing case of Private *Frederick Kamphner*, Company "E," 20th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

G. C. M.

Captain *S. A. Wainwright*, 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., February 20, 1871.

GENERAL ORDERS, }
No. 19. }

I., Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders No. 5, current series, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, was arraigned and tried:

Captain *S. A. Wainwright*, 22d Infantry.

CHARGE I.—“Absence without leave.”

Specification.—“In this, that he, Captain *S. A. Wainwright*, 22d U. S. Infantry, having received the following order, to wit:

‘War Department, Adjutant General’s Office, }
Washington, September 3d, 1870. }

‘Special Orders, }
No. 231. }

Extract.

* * * * *

‘6. The following officers will repair to Yankton, Dakota Territo-

ry, by the first Monday in October next, and communicate with Warren Cowles, Esq., U. S. Attorney, for the purpose of giving evidence on the part of the United States, before the U. S. District Court, in the case of the United States against James Kehoe. As soon as their services can be dispensed with, they will return to their proper stations :

‘Major J. N. G. Whistler, 22d U. S. Infantry.

‘Captain S. A. Wainwright, 22d U. S. Infantry.

‘Assistant Surgeon J. H. T. King.

‘By order of the Secretary of War.

[Signed]

E. D. Townsend,

‘Adjutant General.

‘Official :

[Signed]

Wm. D. Whipple.

‘Assistant Adjutant General.’

did, after being discharged by the civil authorities at Yankton, D. T., on or about the 20th day of October, 1870, go to Sioux City, Iowa, and did remain absent from his proper post, Fort Sully, D. T., without authority, until the 7th day of December, 1870.”

CHARGE II.—“Neglect of duty.”

Specification.—“In this, that he, Captain S. A. Wainwright, 22d U. S. Infantry, having received the following order, to wit :

‘Headquarters Middle District, Department of Dakota,)
Fort Sully, D. T., September 21st, 1870.)’

Special Orders }
No. 21. }

Captain S. A. Wainwright, 22d Infantry, will proceed to Yankton, D. T., and report himself to the U. S. District Attorney, as a witness before the U. S. District Court which meets at Yankton, D. T., on the 3d day of October, 1870. After being discharged by the Dis-

strict Attorney, he will return to his proper station without unnecessary delay.

By order of Colonel D. S. Stanley.

[Signed,]

Hiram H. Ketchum,
1st. Lieut. 22nd Infantry,

A. A. A. General.

And having been relieved by the civil authorities at Yankton, D. T., on or about the 20th day of October, 1870, did neglect and fail to return to his proper post, Fort Sully, D. T., and did remain absent until the 7th day of December, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined to the limits of the Military reservation of the post or station where he may be serving, for two (2) months, and to forfeit to the United States one hundred dollars (\$100.00) per month of his monthly pay, for the same period."

11..The proceedings, findings and sentence of the Court in the foregoing case of Captain S. A. Wainwright, 22d U. S. Infantry, are approved, and the sentence will be duly executed.

III..The General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 5, current series, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 21, 1871.

GENERAL ORDERS, }
No. 20. }

The attention of Post Commanders is called to General Orders No. 66, series of 1869, from these Headquarters. The written agreement therein directed to be exacted from post traders, is required to be obtained from all new appointees, under the Act of Congress, approved July 15th, 1870, and forwarded to the Assistant Adjutant General of the Department, for file. For the information of all concerned, the following extract from a circular of the War Department is republished, viz.:

"In all cases, however, when permission to trade is given, a written agreement, containing proper stipulations, must be taken from the trader, and explicit provision must be made therein, that no right or title, expressed or implied, to ownership, or permanent occupation, is given to any part of the Military Reservation, by the permission to trade thereon."

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Captain *Alonzo A. Cole*, 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., February 24, 1871.

GENERAL ORDERS,)
No. 21.)

I. . Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders Nos. 112 and 209, series of 1870, from these Headquarters, and of which Captain CHARLES C. RAWN, 7th Infantry, is President, was arraigned and tried:

Captain *Alonzo A. Cole*, 7th Infantry.

CHARGE I.—“Making a false muster, in violation of the 15th Article of War.”

Specification.—“In this, that he, Captain *Alonzo A. Cole*, 7th U. S. Infantry, being in command of Company ‘F,’ 7th U. S. Infantry, did employ a soldier, to wit: Private Charles Wibert, Company ‘F,’ 7th Infantry, as his servant, for about two months, between the 12th day of June, 1870, and the 10th day of September, 1870, and did fail so to muster him, upon the muster and pay rolls of the Company. This at Fort Buford, D. T.”

CHARGE II.—“Using an enlisted man as a servant, in violation of the 14th Section of an act of Congress, entitled: ‘An Act making appropriations for the support of the Army, for the year ending June 30, 1871, and for other purposes,’ approved July 15th, 1870, to the prejudice of good order and military discipline.”

Specification.—“In this, that he, Captain *Alonzo A. Cole*, 7th U. S. Infantry, did, at various times during the months of August and September, 1870, and subsequent to the promulgation of General Orders No. 92, of July 22d, 1870, from the Headquarters of the Army, publishing for the government of all concerned, the Act of Congress, hereinbefore named, in violation of the said Act of Congress, use Private Charles Wibert, Company ‘F,’ 7th U. S. Infantry, as a servant. This at Fort Buford, D. T.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—“Guilty, but without criminal intent.”

To the 1st CHARGE—“Not Guilty.”

To the *Specification*, 2d Charge—“Guilty, excepting the words ‘and subsequent to the promulgation of General Orders No. 92, of July 22d, 1870, from the Headquarters of the Army, publishing for the government of all concerned, the Act of Congress hereinbefore named, in violation of said Act of Congress,’ and of the excepted words—Not Guilty.”

To the 2d CHARGE—“Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“Guilty, but without criminal intent.”

Of the 1st CHARGE—“Not Guilty.”

Of the *Specification*, 2d Charge—“Guilty, excepting the words ‘and subsequent to the promulgation of General Orders

No. 92, of July 22d, 1870, from the Headquarters of the Army, publishing for the government of all concerned, the Act of Congress, hereinbefore named, in violation of said Act of Congress; and of the excepted words—"Not Guilty."

Of the 2d CHARGE—Not Guilty."

And the Court does therefore *acquit him*, Captain *Alonzo A. Cole*, 7th U. S. Infantry.

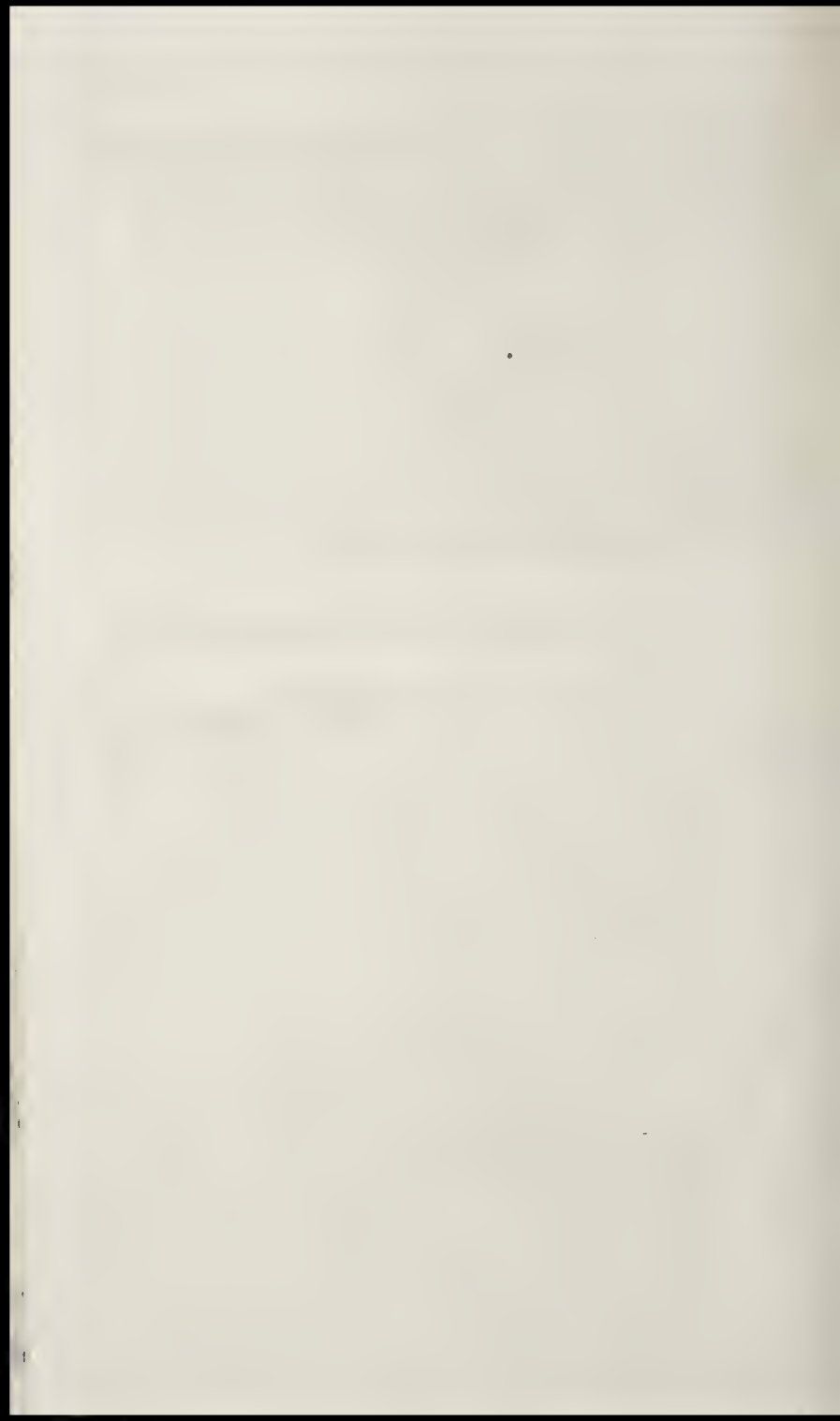
II.. The proceedings, findings and acquittal in the foregoing case of Captain *Alonzo A. Cole*, 7th U. S. Infantry, are confirmed. This officer was mustered out of the service in General Orders No. 1, current series, from the War Department—the proceedings of his trial not having been received by the Department Commander until after the date of said order.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Private *Thomas Maher*, Company "D," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., February 27, 1871.

GENERAL ORDERS, }
No. 22. }

I..Before a General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 13, current series, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, was arraigned and tried :

Private *Thomas Maher*, Company "D," 20th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *Thomas Maher*, Company 'D,' 20th Infantry, did enter the quarters of his company in a drunken condition, and upon being ordered to the guard-house, by 1st Sergeant Henry C. Smith, Company 'D,' 20th Infantry, (he being at the time in the execution of his office,) did positively refuse to obey such order, saying: 'I wont go,' or words to that effect, and did

strike, with his clenched fist, 1st Sergeant Henry C. Smith, Company 'D,' 20th Infantry. All this at or near Fort Abercrombie, D. T., on or about January 31st, 1871."

Specification II.—"In this, that he, Private *Thomas Maher*, Company 'D,' 20th Infantry, did use threatening and abusive language toward Sergeant George Thompson, Company 'D,' 20th Infantry, (he being at the time in the execution of his office,) viz.: 'Son-of-a-bitch,' and 'You son-of-a-bitch, I can lick you,' repeating the words several times. All this at or near Fort Abercrombie, D. T., on or about January 31st, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows:

To the 1st *Specification*—"Guilty."

To the 2d *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States fifteen (15) dollars per month, of his monthly pay, for the period of two (2) months, and to be confined at hard labor, under charge of the guard, for the same period."

II.. The proceedings, findings and sentence of the Court in the foregoing case of Private *Thomas Maher*, Company "D," 20th Infantry, are set aside—the Court having been dissolved

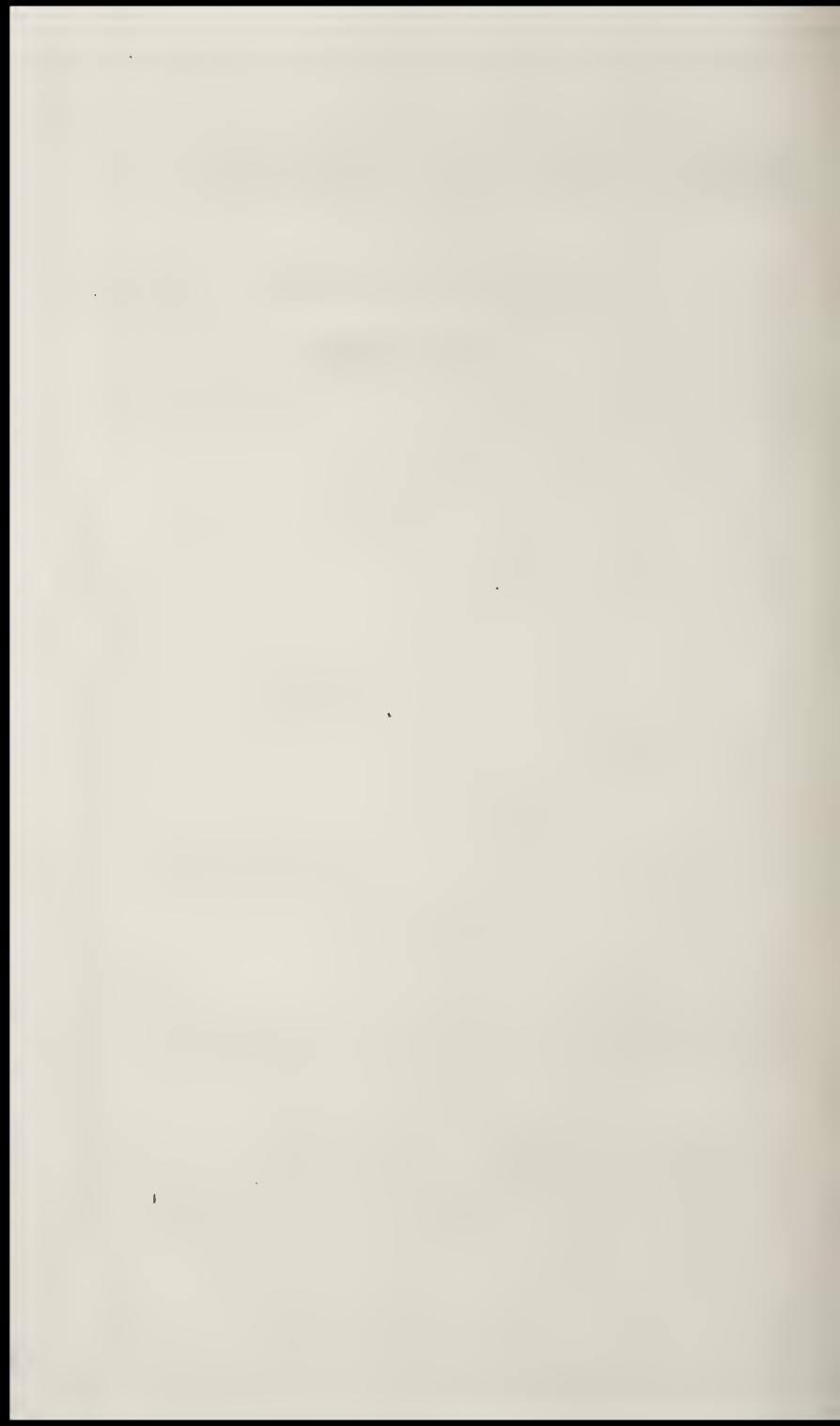
before the date of trial. The prisoner will be brought to trial before another court.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Private *Henry Jones*, Company "H," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 2, 1871.

GENERAL ORDERS, }
No. 23. }

I..Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders Nos. 124 and 135, series of 1870, from these Headquarters, and of which Captain H. B. FREEMAN, 7th Infantry, is President, was arraigned and tried:

Private *Henry Jones*, Company "H," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, the said *Henry Jones*, Private Company 'H,' 7th U. S. Infantry, did, without proper authority, enter the quarters of Lieutenant Colonel C. C. Gilbert, 7th U. S. Infantry, Brevet Colonel, U. S. A., about the hour of midnight, during the absence of the said Lieutenant Colonel C. C. Gilbert, 7th Infantry, Brevet Colonel, U. S. A., and did alarm Mrs. M. R. Gilbert, the

wife of the said Lieutenant Colonel C. C. Gilbert, 7th Infantry, Brevet Colonel, U. S. A., to such a degree as to endanger her life. This at Fort Bridger, U. T., on or about the 13th day of March, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, except the words, '*without proper authority*,' and the words, '*about the hour of midnight*,' but attach no criminality thereto."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him* "

II..The proceedings in the foregoing case of Private *Henry Jones*, Company "II," 7th Infantry, are disapproved.

The accused offered, as a plea in bar of trial, his honorable discharge upon the expiration of his term of service, after charges had been preferred against him, and his subsequent re-enlistment under the impression that his discharge precluded further prosecution. The Court erred in not admitting the plea. Except in certain cases, to which the one under consideration does not belong, a court-martial can exercise no jurisdiction over an officer or enlisted man after he has ceased to belong to the military service.

It is only when tainted with fraud that a discharge can be treated as void with the view of bringing the soldier to trial for an offence committed in violation of the 99th Article of War. Otherwise, and when given "with full knowledge of his standing in the service, and of all proceedings pending against him, it can not legally be revoked, however improperly and unadvisedly

given under the circumstances. The soldier can not justly be made to suffer from an error committed by the representative of the government in such case."—Holt's Digest, 1868. p. 145. The discharge of Private *Jones* was never cancelled on the ground of fraud. The jurisdiction of the Court, therefore, ceased to exist upon his formal discharge, and was not revived by his re-entry into the service.

Having determined to proceed with the trial, it is difficult to understand how the Court arrived at its conclusions with reference to the evidence which places it beyond a doubt that the prisoner was found, about the hour of midnight, under a bed in the private quarters of an officer, and under circumstances which justify the presumption that he *was* there for an unlawful purpose, and therefore without authority.

The prisoner will be released from confinement, and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 3, 1871.

GENERAL ORDERS, }
No. 24. }

In compliance with instructions from the War Department, the Military Reservation of Fort Wadsworth, D. T., as announced in General Orders No. 41, series of 1868, from these Headquarters, is hereby modified to conform to the corrected survey thereof, made by Captain *D. P. Heap*, Corps of Engineers, in June, 1870, leaving out that portion of the Reservation, as declared October 14th, 1867, which is embraced in the Indian Reserve of prior date, under treaty stipulations.

The following is the description of the Reservation as modified, viz :

"Commencing at a point six (6) miles east, and two (2) miles eight hundred and twenty-eight (828) feet north of the flag-staff of the post, which point is on the western boundary of the Indian Reservation, running thence south seven (7) miles eight hundred and twenty-eight (828) feet, thence west nine (9) miles, thence north fifteen (15) miles, thence east seven (7) miles, seventeen hundred and sixty (1760) feet, to the point of intersection with the western boundary line of the Indian Reservation, thence along the boundary eight (8) miles and ninety-six (96) feet, to point of commencement."

The Commanding Officer will cause the above described boundaries to be marked out by erecting posts thereon, one mile apart, (excepting along the western boundary of the Indian Reservation, which is already marked.) The posts will be seven (7) feet long, and six (6) inches square, projecting four (4) feet above the surface of the ground, painted white with black top, and the southeast, southwest and northwest corner posts lettered respectively "S. E.," "S. W." and "N. W."

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

1. Private *Henry C. Vinson*, Company "B," 13th Inf'ty.
 2. Private *John Rafferty*, Company "E," 7th Infantry.
 3. Sergeant *John Fallon*, Company "E," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 8, 1871.

GENERAL ORDERS, }
No. 25. }

I.. Before a General Court Martial, which convened at Fort Benton, M. T., by virtue of Special Orders No. 16, current series, from these Headquarters, and of which Major W. H. LEWIS, 7th Infantry, is President, were arraigned and tried:

1st Private *Henry C. Vinson*, Company "B," 13th Inf'ty.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Henry C. Vinson*, Company 'B,' 13th Infantry, a duly enlisted soldier in the service of the United States, did desert the service of the United States, at or near Prickly Pear Cañon, M. T., on or about the 25th day of June, 1870, and did remain absent therefrom until apprehended at or near the city of Benton, M. T., on or about July 2d, 1870, (\$30 paid for

apprehension) All this at or near Prickly Pear Cañon.
M. T., on or about the 25th day of June, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

" To forfeit to the United States government all pay and allowances now due, or to become due, except the just dues of the laundress, and to be confined at hard labor, at such place as the General commanding may direct, for the period of one year, and at the expiration of his term of confinement, to be dishonorably discharged from the U. S. service."

2d. Private *John Rafferty*, Company "E," 7th Infantry.

CHARGE.—" Sleeping on post."

Specification.—" In this, that he, Private *John Rafferty*, Company 'E,' 7th Infantry, being a member of the post guard at Fort Benton, Montana, and having been duly posted on post No. 1, in front of the guard-house, was found sleeping on his post. All this at Fort Benton, M. T., on or about the 31st of December, 1870 "

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars per month of his monthly pay, for three (3) months, and to be confined at hard labor, under charge of the guard, for ninety (90) days."

3d. Sergeant *John Fallon*, Company "E," 7th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification.—"In this, that he, Sergeant *John Fallon*, Company "E," 7th Infantry, having been duly mounted as Sergeant of the post guard at Fort Benton, M. T., did become so much under the influence of intoxicating liquor as to be unable to perform his duties properly. All this at or near Fort Benton, M. T., on or about the 31st of December, 1870."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

" To be reduced to the ranks, and to be confined at hard labor, at the post where his company may be serving, for the period of three months."

II..The proceedings, findings and sentence in the case of Private *Henry C. Vinson*, Company "B." 13th Infantry, are approved, and the sentence will be duly executed. Fort Benton, M. T., is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Private *John Rafferty* and Sergeant *John Fullon*, Company "E." 7th Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

G. C. M.

1. Private *George A. Rose*, Company "K," 22d Infantry.
 2. Private *Joseph A. McConnell*, Company "K," 22d Infantry.
 3. Private *Thomas Cuddy*, Company "D," 22d Infantry.
 4. Private *Jonathan Cookley*, Company "H," 22d Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 13, 1871.

GENERAL ORDERS,)
No. 26.)

I., Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, series of 1870, from these Headquarters, and of which Lieutenant Colonel ELWELL S. OTIS, 22d Infantry, is President, were arraigned and tried :

1st. Private *George A. Rose*, Company "K," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that Private *George A. Rose*, Company "K," 22d Infantry, having been duly enlisted in the service of the United States as a soldier, did desert from said service and remain absent until brought back and delivered to Captain George W. Hill, 22d Infantry, by some Brulé

him, and had to be put out of the hospital ward by force. All this at Whetstone Agency, D. T., on the 26th day of December, 1870."

Specification II.—"In this, that the aforesaid Private *Thomas Cuddy*, of Company 'D,' 22d Infantry, did again enter the hospital ward, without permission, and wait until Hospital Steward Edmond Walsh, U. S. Army, entered the ward room, then and there called him a damned son-of-a-bitch, attacked him in a very violent manner, and would not stop until taken away by force; the aforesaid hospital steward being in the execution of his office at the time. All this at Whetstone Agency, D. T., on the 26th day of December, 1870."

To which CHARGE and *Specifications* the accused pleaded as follows:

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty, except the words, 'that he commenced to curse and swear at the hospital steward in a very loud tone of voice,' and the words, 'did call the said steward a son-of-a-bitch,' and of the excepted portion of the specification—Not Guilty."

Of the 2d *Specification*—"Guilty, except the words, 'then and there called him a damned son-of-a-bitch,' and of the words excepted—Not Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars of his monthly pay for three (3) months, and to be confined at hard

labor, in charge of the guard where his company may be serving, for the same period."

4th. Private *Jonathan Cookley*, Company "H," 22d Inf'ty.

CHARGE—"Conduct prejudicial to good order and military discipline. (Violation of the 99th Article of War.)"

Specification I.—"In this, that he, Private *Jonathan Cookley*, Company 'H,' 22d Infantry, was drunk and disorderly in his company quarters, after taps on the night of the 24th of January, 1871. This at Fort Randall, D. T., on the night of January 24th, 1871."

Specification II.—"In this, that he, Private *Jonathan Cookley*, Company 'H,' 22d Infantry, having been ordered to go to the guard-house by 1st Sergeant Samuel Slaymaker, Company 'H,' 22d Infantry, did refuse to obey said order, and did attempt to strike 1st Sergeant Slaymaker, he being in the execution of his office, and did make use of the following language: 'I will not go to the guard-house for any son-of-a-bitch.' This at Fort Randall, D. T., on the night of January 24th, 1871."

Specification III.—"In this, that he, Private *Jonathan Cookley*, Company 'H,' 22d Infantry, did attempt to strike 1st Serg't Sam'l Slaymaker, Company 'H,' 22d Infantry, with a piece of stove-wood, and did attempt to get his revolver, exclaiming at the same time, 'I will shoot the son-of-a-bitch,' meaning 1st Sergeant Slaymaker. This at Fort Randall, D. T., on the night of January 24th, 1871."

Specification IV.—"In this, that he, Private *Jonathan Cookley*, Company 'H,' 22d Infantry, did assault and strike, without provocation, Private Frederick Deitline, Company 'C,' 22d Infantry, he being a member of the post guard and

sent to arrest Private *Coakley*. This at Fort Randall, D. T., on the night of January 24th, 1871."

Specification V.—"In this, that he, Private *Jonathan Coakley*, Company 'H,' 22d Infantry, did purposely and maliciously break and destroy the window and door of the quarters occupied by 'H' Company, 22d Infantry. All of the above at Fort Randall, D. T., on the night of January 24th, 1871."

To which CHARGE and *Specifications* the accused pleaded as follows:

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the 3d *Specification*—"Not Guilty."

To the 4th *Specification*—"Not Guilty."

To the 5th *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the 3d *Specification*—"Guilty."

Of the 4th *Specification*—"Guilty."

Of the 5th *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of six (6) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay, for the same period."

II.. The proceedings, findings and sentences in the cases of Privates *George A. Rose* and *Joseph A. McConnell*, Company

"K," 22d Infantry, and Private *Thomas Cuddy*, Company "D," 22d Infantry, are approved. In consideration of the length of time the prisoners have already been in confinement, so much of the sentences as imposes confinement, is remitted. The remainder of the sentences will be duly executed.

The proceedings, findings and sentence in the case of Private *Jonathan Coakley*, Company "H," 22d Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *George Rolfe*, Company "B." 20th Infantry.
 2. Corporal *John Lindenthall*, Company "B." 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 24, 1871.

GENERAL ORDERS, }
No. 27. }

1. Before a General Court Martial, which convened at Fort Wadsworth, D. T., by virtue of Special Orders No. 36, current series, from these Headquarters, and of which Captain J. C. BATES, 20th Infantry, is President, were arraigned and tried:

1st. Private *George Rolfe*, Company "B." 20th Infantry.

CHARGE I.—"Leaving his post before being regularly relieved, in violation of the 46th Article of War."

Specification.—"In this, that he, Private *George Rolfe*, "B" Company, 20th Infantry, having been duly posted at 11 o'clock p. m., January 7th, 1871, as a sentinel on No. 2 post, did leave said post without proper authority, and before being regularly relieved, did go to one of the forage rooms of the stable and did remain there until discovered

by the officer of the day—Captain J. S. McNaught, 20th Infantry—at about 11:30 o'clock P. M. This at Fort Wadsworth, D. T., on or about the date and times above specified."

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, the said Private *George Rolfe*, 'B' Company, 20th Infantry, having been duly posted as a sentinel on No. 2 post, did quit his piece and leave it against the partition of one of the forage rooms of the stable, where it was allowed to remain until it was discovered by the officer of the day—Captain J. S. McNaught, 20th Infantry. This at Fort Wadsworth, D. T., on or about the 7th day of January, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, Charge 1st—"Guilty, but attach no criminality thereto."

Of the 1st CHARGE—"Not Guilty."

Of the *Specification*, Charge 2d—"Guilty, but attach no criminality thereto."

Of the 2d CHARGE—"Not Guilty."

And the Court does therefore "*acquit him*."

2d. Corporal *John Lindenthall*, Company "B," 20th Inf'ty.

CHARGE.—"Drunkenness on duty."

Specification.—"In this, that he, Corporal *John Lindenthall*, Company 'B,' 20th Infantry, having been regularly detailed and mounted as Corporal of the guard, and before being relieved as such, did become so drunk as to be unable to properly perform his duty. All this at Fort Wadsworth, D. T., on or about the 11th day of January, 1871."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks and confined at hard labor, under charge of the guard, for the period of one (1) month."

II..The proceedings, findings and acquittal in the foregoing case of Private *George Rolfe*, Company "B," 20th Infantry, are approved. He will be released from confinement, and restored to duty.

In the case of Corporal *John Lindenthall*, Company "B," 20th Infantry, the proceedings and findings are approved. The sentence is, in the opinion of the Commanding General, totally inadequate for an offence of so serious a character. He there-

fore declines to entertain the recommendation of the members of the Court, although unanimous; but confirms the sentence and directs its execution.

BY COMMAND OF MAJOR GENERAL HANCOCK

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 3, 1871.

GENERAL ORDERS, }
No. 28. }

The abandonment of the military stations at Whetstone, Lower Brulé, Crow Creek, Cheyenne and Grand River Agencies, is hereby ordered, and will be carried into effect so soon as the necessary disposition of the public property and stores thereat can be made as hereinafter directed, and transportation provided for the removal of their respective garrisons.

All the stores and such property as can be readily removed, will be sent by the Commanding Officers of the respective agencies to posts as follows, viz.: From Lower Brulé and Crow Creek to Fort Sully; from Whetstone, the Quartermaster and Medical stores to Fort Randall, the Subsistence stores to Fort Sully; from Cheyenne and Grand River to Fort Buford. In this removal of stores and property, the Commanding Officers will themselves see that all articles are properly prepared for safe transportation and invoiced to the proper staff officer at the post where they are to be delivered. Such property as cannot well be removed will be turned over, on receipts, to the nearest Indian Agent for safe keeping until disposed of hereafter, under instructions from competent authority.

The Commanding Officer of each station will at once cause to be prepared and transmitted to these Headquarters, a plan showing the dimensions, location and use at the time of the transfer, of every building at the agency, and each building will be so marked on the plan as to show whether it belongs to the Military or Indian branch of the public service.

So soon as the necessary disposition of stores and property shall have been made, the companies of the 22d Infantry, composing the garrisons of Whetstone, Lower Brulé and Crow Creek Agencies, will proceed to, and take post at Fort Sully. The four companies of the 17th Infantry, from Cheyenne and Grand River agencies, will proceed to, and take post at Fort Buford, relieving the three companies of the 7th Infantry

now garrisoning that post. The Major of the 17th will command the movement of the battalion as far as Fort Stevenson, where he will relieve the Lieutenant Colonel of the regiment in command of that post. The Lieutenant Colonel will then assume command of the battalion, and proceed with it and take command of Fort Buford.

Upon being relieved by the 17th, the battalion of the 7th, at Fort Buford, will proceed, under command of the Lieutenant Colonel of the regiment, by river to Fort Benton, and thence by land to Fort Shaw, M. T., the Regimental Headquarters, where the companies comprising it will receive orders assigning them to posts in Montana.

The movements, transfers and assignments of Medical Officers and Hospital Stewards made necessary by the abandonment of these stations, will be announced in Special Orders.

Should any modifications of these orders, respecting the disposition of stores and property at the agencies, become necessary hereafter, they will be communicated by the proper Department staff officers through the Post Commanders, and will be promptly carried into execution, under the detailed instructions which will accompany them.

The day preceding the abandonment of any station, the Commanding Officer will cause the post records to be carefully arranged, packed and turned over to the Quartermaster's Department, for immediate shipment to these Headquarters.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 5, 1871.

GENERAL ORDERS, }
No. 29. }

That portion of the Fort Abererombie reservation lying east of the Red River of the North, having been relinquished to the Interior Department for disposition in accordance with the provisions of the Act of Congress approved February 24th, 1871, entitled "An Act to provide for the disposition of useless Military Reservations," the following description of the boundaries of the Reservation as thus reduced, is announced for the information and guidance of all concerned, viz.:

"Beginning at a point on the left bank of the Red River of the North, on the line between sections fifteen (15) and twenty-two (22), township one hundred and thirty-four (134), range forty-eight (48), thence due west three (3) miles twenty-three hundred and sixty-five (2365) feet, to the quarter section corner between sections eighteen (18) and nineteen (19), thence due north five (5) miles, to the quarter section post between sections nineteen (19) and thirty (30), township one hundred and thirty-five (135), range forty-eight (48), thence east along the section line, to the left bank of the Red River, thence up and following the meanderings of the left bank of the river to the place of beginning."

BY COMMAND OF MAJOR GENERAL HANCOCK,

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL: .



G. C. M.

1. Private *Michael Comber*, Company "K," 20th Infantry.
 2. Private *John Proctor*, Company "K," 20th Infantry.
 3. Private *James Gilligan*, Company "K," 20th Infantry.
 4. Private *Theodore Pfaff*, Company "I," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 13, 1871.

GENERAL ORDERS, }
No. 30. }

I..Before a General Court Martial, which convened at Fort Pembina, D. T., (late Fort George H. Thomas), by virtue of Special Orders No. 149, series of 1870, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, were arraigned and tried :

1st. Private *Michael Comber*, Company "K," 20th Inf'ty.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Michael Comber*, a private of Company 'K,' 20th Infantry, did feloniously receive and conceal one (1) sack of flour, of the value of four dollars, more or less, knowing the same to have been stolen from

the oven of Company 'I,' 20th Infantry, and knowing that the flour was a part of the rations of Company 'I,' 20th Infantry, to be used for the benefit of the enlisted men of the company. All this at Fort Pembina, D. T., on or about the 12th day of December, 1870."

CHARGE II.—(Additional charge) "Desertion."

Specification.—"In this, that Private *Michael Comber*, 'K' Company, 20th Infantry, a duly enlisted soldier in the United States service, did desert the service, and did remain absent until brought back under guard. All this at Fort Pembina, D. T., December 31st, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—(Additional charge) "Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Not Guilty."

Of the 1st CHARGE—"Not Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—(Additional charge) "Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due, or which may become due, and that he be confined at hard labor, in such military prison as the Commanding General may direct, for the period of three (3) years."

2d. Private *John Proctor*, Company "K," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John Proctor*, Company 'K,' 20th Infantry, having been duly mounted as a member of the police guard at the station of his company, and having been placed in charge of Private Michael Comber, Company 'K,' 20th Infantry, a prisoner, did allow the said Private Michael Comber, Company 'K,' 20th Infantry, to escape. All this at Fort Pembina, D. T., December 31st, 1870."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him*."

3. Private *James Gilligan*, Company "K," 20th Infantry.

CHARGE I.—"Absence without leave, in violation of the 21st Article of War."

Specification.—"In this, that he, Private *James Gilligan*, Company 'K,' 20th Infantry, did, without proper authority, absent himself from his company and quarters, between

the hours of eleven (11) and twelve (12) o'clock P. M., January 7th, 1871, and did remain absent until between the hours of nine (9) and ten (10) o'clock P. M., January 9th, 1871. This at Fort Pembina, D. T., on or about the time and date above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that Private *James Gilligan*, Company 'K,' 20th Infantry, did feloniously take, steal and carry away and appropriate to his own use one buffalo robe, the property of Assistant Surgeon *Ezra Woodruff*, U. S. A., and valued at twelve (12) dollars. This at Fort Pembina, D. T., on or about the 9th day of January, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due, or that may become due, and to be confined at hard labor, in such penitentiary as the Commanding General may direct, for the period of two years."

4th. Private *Theodore Pfaff*, Company "I," 20th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Theodore Pfaff*, Company 'I,' 20th Infantry, did feloniously take, steal and carry away from the company oven, and appropriate to his own use, one (1) sack of flour of the value of four dollars, and weighing one hundred (100) pounds, more or less, a part of the rations of his company. All this at Fort Pembina, D. T., on or about the 12th day of December, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with forfeiture of all pay and allowances now due, or that may become due, and that he be confined at hard labor, in such penitentiary as the Commanding General may direct, for the period of one (1) year."

11.. The proceedings, findings and sentence in the foregoing case of Private *Michael Comber*, Company "K," 20th Infantry, are approved, and the sentence will be duly executed. Fort Snelling, Minn., is designated as the place of confinement.

The proceedings, findings and acquittal in the case of Private *John Proctor*, Company "K," 20th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

In the cases of Privates *James Gilligan*, Company "K," and *Theodore Pfaff*, Company "I," 20th Infantry, the proceedings, findings and sentences are approved, and the sentences will be duly executed. The Minnesota State Penitentiary, at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 14, 1871.

GENERAL ORDERS, }
No. 31. }

In accordance with instructions from the War Department, based upon the request of the Honorable Secretary of the Interior, General Orders No. 28, current series, from these Headquarters, are hereby revoked, with the exception of so much as directs the abandonment of the station at Crow Creek Agency.

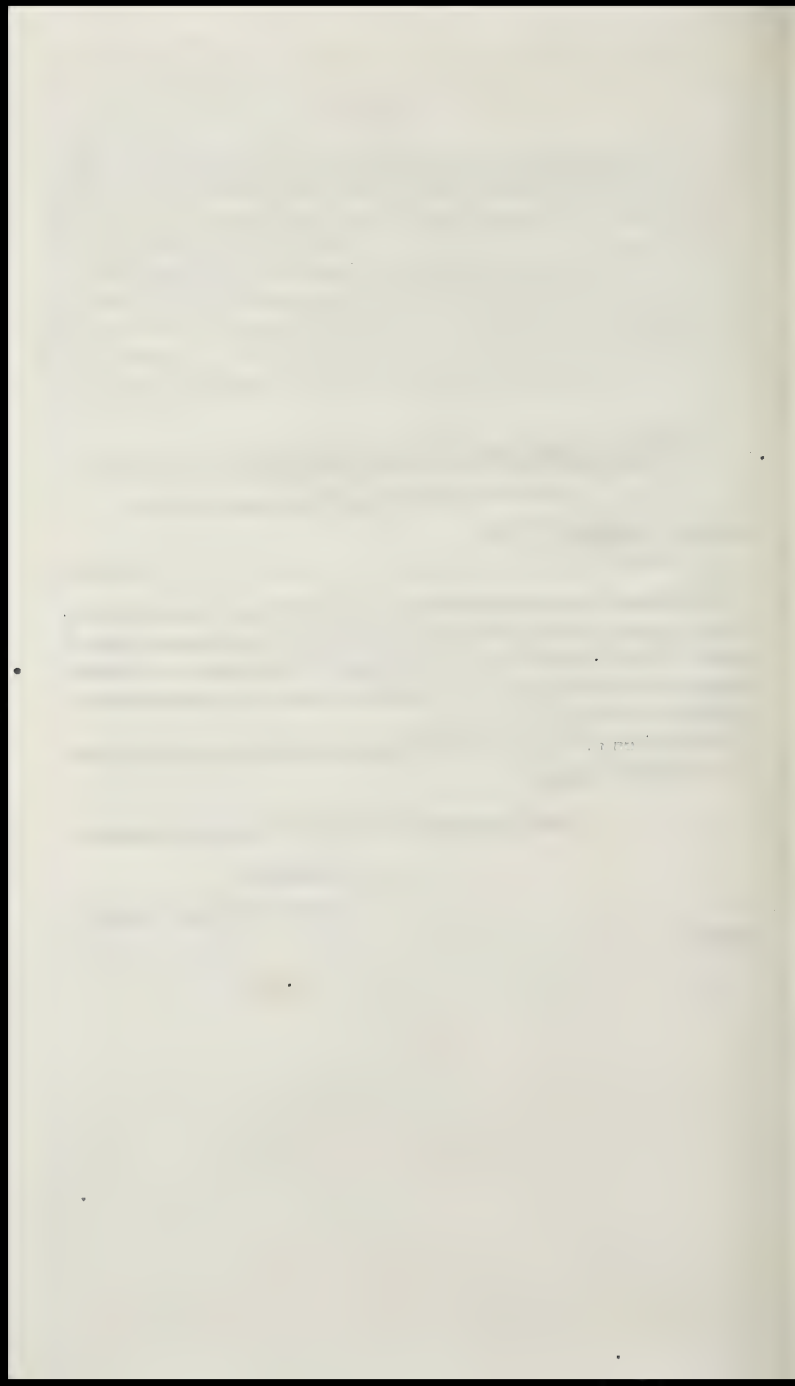
The garrison of that station will be sent to Fort Sully, and the stores to Lower Brulé Agency.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Private *Michael H. McCue*, Company "E," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 17, 1871.

GENERAL ORDERS, }
No. 32. }

I.. Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 27, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, was arraigned and tried :

Private *Michael H. McCue*, Company "E," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Michael H. McCue*, Company 'E,' 20th Infantry, a soldier duly enlisted into the service of the United States, did desert the same at Fort Snelling, Minn., on or about the 17th day of November, 1870, and did remain absent until apprehended at or near Rochester, Minnesota, on or about the 16th day of March, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are, or may become due him; to be dishonorably discharged and drummed out of the service, and to be confined at hard labor, at such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds."

11. The proceedings, findings and sentence in the foregoing case of Private *Michael H. McCue*, Company "E," 20th Infantry, are approved, and the sentence will be duly executed. Fort Snelling, Minnesota, is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *John H. Moe*, Company "C," 22d Infantry.
 2. Private *Joseph Williams*, Company "B," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 18, 1871.

GENERAL ORDERS, }
No. 33. }

I. . Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, series of 1870, from these Headquarters, and of which Lieutenant Colonel ELWELL S. OTIS, 22d Infantry, is President, were arraigned and tried :

1st. Private *John H. Moe*, Company "C," 22d Infantry.

CHARGE I.—" Violation of the 46th Article of War."

Specification.—" In this, that he, *John H. Moe*, a duly enlisted soldier in the service of the United States, and private of "C" Company, 22d Infantry, having been regularly detailed and mounted as a member of the post guard of the post of Fort Randall, D. T., and having been duly posted as a sentinel over a number of the prisoners of the post, to guard the same and prevent escape, did, without authority,

abandon his post and the garrison, and did take with him four of the prisoners whom he had been directed to guard. This at Fort Randall, D. T., on or about the 9th day of December, 1870."

CHARGE II.—"Desertion."

Specification.—"In this, that he, *John H. Moe*, a duly enlisted soldier in the service of the United States, and private of 'C' Company, 22d Infantry, did desert the said service, and did remain absent therefrom until apprehended at Choteau Creek, D. T. This at Fort Randall, D. T., on or about the 9th day of December, 1870."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John H. Moe*, Company 'C,' 22d Infantry, while rightly on duty as a member of the post guard of Fort Randall, D. T., and while guarding prisoners of the post, did purposely allow the escape of four of the prisoners, viz.: Privates Carr and Smith, of 'E' Company, 7th Infantry; of Private Anderson, 'F' Company, 7th Infantry; and of Private Fitzgerald, 'C' Company, 22d Infantry. This at Fort Randall, D. T., on the 9th day of December, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

Of the *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due, or to become due, and be placed at hard labor, under charge of a guard, at the Dry Tortugas, for the period of four (4) years."

2d. Private *Joseph Williams*, Company "B," 22d Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *Joseph Williams*, Company "B," 22d Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Randall, D. T., on or about the 20th day of January, 1871, and did remain absent therefrom until apprehended at or near Vermillion, on or about the 26th day of January, 1871."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged and drummed out of the service of the United States, with loss of all pay and allowances now due, or which may become due."

II..In the case of Private *John H. Moe*, Company "C," 22d Infantry, the proceedings are approved. Owing to the views expressed by certain members of the Court in a paper appended to the record, and which indicates an uncertainty in their minds as to the guilt of the prisoner—an uncertainty which, in view of the conclusive nature of the evidence, could not, however, have extended to the 3d Charge—the sentence is mitigated to dishonorable discharge, forfeiture of all pay and allowances, and confinement at hard labor, at Fort Randall, D. T., for the term of one year. As thus mitigated, the sentence will be duly executed.

In the case of Private *Joseph Williams*, Company "B," 22d Infantry, the court shows a want of appreciation of its duties, and a lack of consistency in applying to the case a different measure of punishment from that adopted by it in cases of similar offences.

The opinions of individual members of a court are receivable only so far as they may be made the grounds for a recommendation to executive clemency, and are not properly given in explanation of any action of the court, for this might be considered a violation of their oaths not to disclose or discover the vote or opinion of any particular member. Such explanation, if made at all, must be embodied in the proceedings of the court. But, the reason assigned for imposing dishonorable discharge—besides having the appearance of an attempt to force upon the reviewing authority a sentence which he might not approve, or might deem proper to mitigate—is one in considering which the court went beyond its appropriate sphere.

The Regulations prescribe the proper manner of determining the capacity of an enlisted man for future military duty, and it is not a subject which a court is authorized to take into consideration in determining the character or extent of punish-

ment. Its duty is to affix an adequate punishment for the offence (see Benét, chapter XII.); after which the members may, if they believe that they have good reasons therefor, embody such reasons in a recommendation for executive clemency.

The sentence imposed, in omitting to affix a term of confinement, is not in accordance with those which either this or other courts in this Department have heretofore imposed for the same offence. In fact, the punishment administered to this man amounts to nothing more serious than his condition was, had he not been apprehended and tried. Before his apprehension he had dishonorably separated himself from the service, and forfeited all pay and allowances by that act. The present sentence does no more, while it presents to him the advantage that he need have no apprehension hereafter of arrest and danger of an adequate punishment for the offence. The sentence rather offers a premium for desertion to those who are willing to dishonor themselves by deserting. A man who has deserted the service has no reason to regard the injurious effect of a certificate of dishonorable discharge—it rather secures him from future apprehension of arrest.

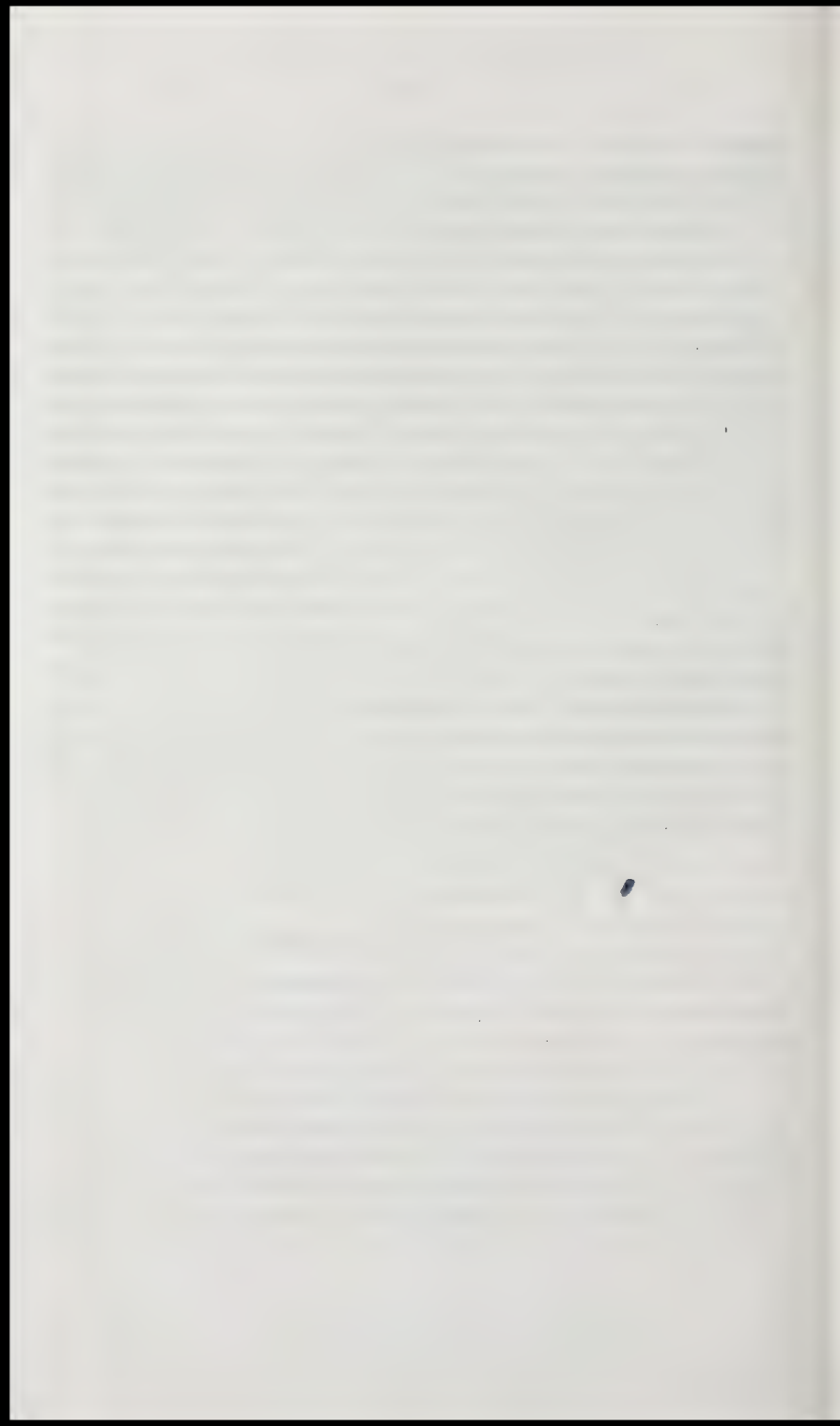
Notwithstanding, the court adheres to its sentence after having been reassembled for its revision, as it is believed that no good can result to the service by retaining this man in it, the proceedings and findings are approved, and the sentence is confirmed and will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 19, 1871.

GENERAL ORDERS,)
No 34.)

Captain *William G. Mitchell*, 5th Infantry, is hereby announced as
Aide-de-Camp to the Major General Commanding.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 20, 1871.

GENERAL ORDERS, }
No 35. }

Subject to the approval of the proper authority, the public lands enclosed by the hereinafter described boundaries are hereby reserved to the United States for military purposes, and are declared to be the Military Reservation of Camp Baker, M. T.:

"Beginning at the quarter section corner between sections one (1) and six (6), on the town line between ranges four (4) and five (5) east, town No. ten (10) north, Smith's river guide meridian, thence north two hundred and forty (240) chains, to quarter section corner between sections nineteen (19) and twenty-four (24), town No. ten (10) north, ranges four (4) and five (5) east, thence west one hundred (100) chains, thence south two hundred and forty (240) chains, thence east one hundred (100) chains, to the place of beginning."

The Post Commander will cause the letters "U. S. M. R." (six inches long—white), to be painted on the stones which have been set to indicate the corners of the reservation.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Thomas Waugh*, alias *Thomas Collier*, Company "F," 7th Infantry.
 2. Corporal *John Wallace*, Company "D," 7th Infantry.
 3. Artificer *John Riley*, Company "D," 7th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 27, 1871.

GENERAL ORDERS, }
No. 36. }

I., Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders No. 7, current series, from these Headquarters, and of which Captain C. C. RAWN, 7th Infantry, is President, were arraigned and tried:

1st. Private *Thomas Waugh*, alias *Thomas Collier*, Company "F," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, *Thomas Waugh*, alias *Thos. Collier*, now serving as a private in Company 'F,' 7th Infantry, having duly enlisted as a soldier in the army of the U. S., under the name of *Thomas Collier*, at St. Louis, Missouri, on or about the 11th day of May, 1866, and having been sent with a detachment of recruits to join the

17th U. S. Infantry, then stationed in the State of Texas, did desert the service of the United States on or about the 31st day of August, 1866, and did not return to the regiment to which he had been assigned, but did again enlist as a soldier in the army of the U. S., under the name of *Thomas Waugh*, at Detroit, Michigan, on or about the 13th day of October, 1869, and was sent as a recruit to the 7th U. S. Infantry, without having received a discharge from the service under his former enlistment. This at the places and times above specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty, without criminal intent."

To the CHARGE—"Guilty, without criminal intent."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due, or may become due him; to have his head shaved; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, in such military prison as the Commanding General may direct, for the period of one year."

2d. Corporal *John Wallace*, Company "D," 7th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, *John Wallace*, a corporal of Company 'D,' 7th U. S. Infantry, did state to 2d Lieu-

tenant Wm. L. English, 7th U. S. Infantry, the officer of the day at the time, that Private Charles Durphy, Company 'D,' 7th U. S. Infantry, had left his post as a sentinel in consequence of his (Corporal Wallace's) persuasion; which statement was false. This at Fort Buford, D. T., on or about the thirteenth day of December, 1870."

Specification II.—"In this, that he, John Wallace, a corporal of Company 'D,' 7th U. S. Infantry, knowing that Private Charles Durphy, Company 'D,' 7th Infantry, had left his post as a sentinel without having been regularly relieved, did accompany said Durphy on his (Durphy's) return to the guard, and did endeavor to persuade the sergeant of the guard not to punish said Durphy for his absence as aforesaid. This at Fort Buford, D. T., on or about the thirteenth day of December, 1870."

Specification III.—"In this, that he, John Wallace, a corporal of Company 'D,' 7th U. S. Infantry, knowing that Private Charles Durphy, of Company 'D,' 7th U. S. Infantry, had left his post as a sentinel, without having been regularly relieved, did go to the officer of the day, 2d Lieutenant Wm. L. English, 7th Infantry, and did endeavor to persuade him (Lieutenant English) not to punish said Durphy for his said absence, and leaving his post as a sentinel. This at Fort Buford, D. T., on or about the thirteenth day of December, 1870."

To which CHARGE and *Specifications* the accused pleaded as follows:

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Guilty."

To the 3d *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Not Guilty."

Of the 2d *Specification*—"Guilty."

Of the 3d *Specification*—"Guilty."
Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks as a private soldier, and to forfeit to the United States twelve dollars (\$12) per month of his monthly pay, for two months."

3d. Artificer *John Riley*, Company "D," 7th Infantry.

CHARGE I.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *John Riley*, an artificer of Company 'D,' 7th U. S. Infantry, being on duty as a carpenter, in the Q. M. Department, at the post of Fort Buford, D. T., did absent himself from his work as carpenter, and did neglect his work as aforesaid, from the 13th day of December, 1870, until apprehended by the corporal of the guard, on the 15th day of December, 1870. This at Fort Buford, D. T., on or about the dates above specified."

CHARGE II.—"Disobedience of orders."

Specification.—"In this, that he, *John Riley*, an artificer of Company 'D,' 7th U. S. Infantry, being on duty as a carpenter, in the Q. M. Department, at the post of Fort Buford, D. T., when sent for by Captain A. P. Blunt, Post Q. M., and ordered to report to him at the office of the Post Q. M., did fail, neglect and refuse to obey said order. This at Fort Buford, D. T., on or about the 14th day of December, 1870."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty, except the word 'refuse.'"

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, for the period of four months, and to forfeit to the United States ten dollars per month of his monthly pay, for the same period."

H..The proceedings and findings in the foregoing case of Private *Thomas Waugh*, alias *Thomas Collier*, Company "F," 7th Infantry, are approved. Upon the unanimous recommendation of the members of the court, the sentence is mitigated to confinement at hard labor at Fort Buford, D. T., for the period of six months, and forfeiture of all pay and allowances that are now due, or may become due during said term of confinement. As thus mitigated the sentence will be duly executed.

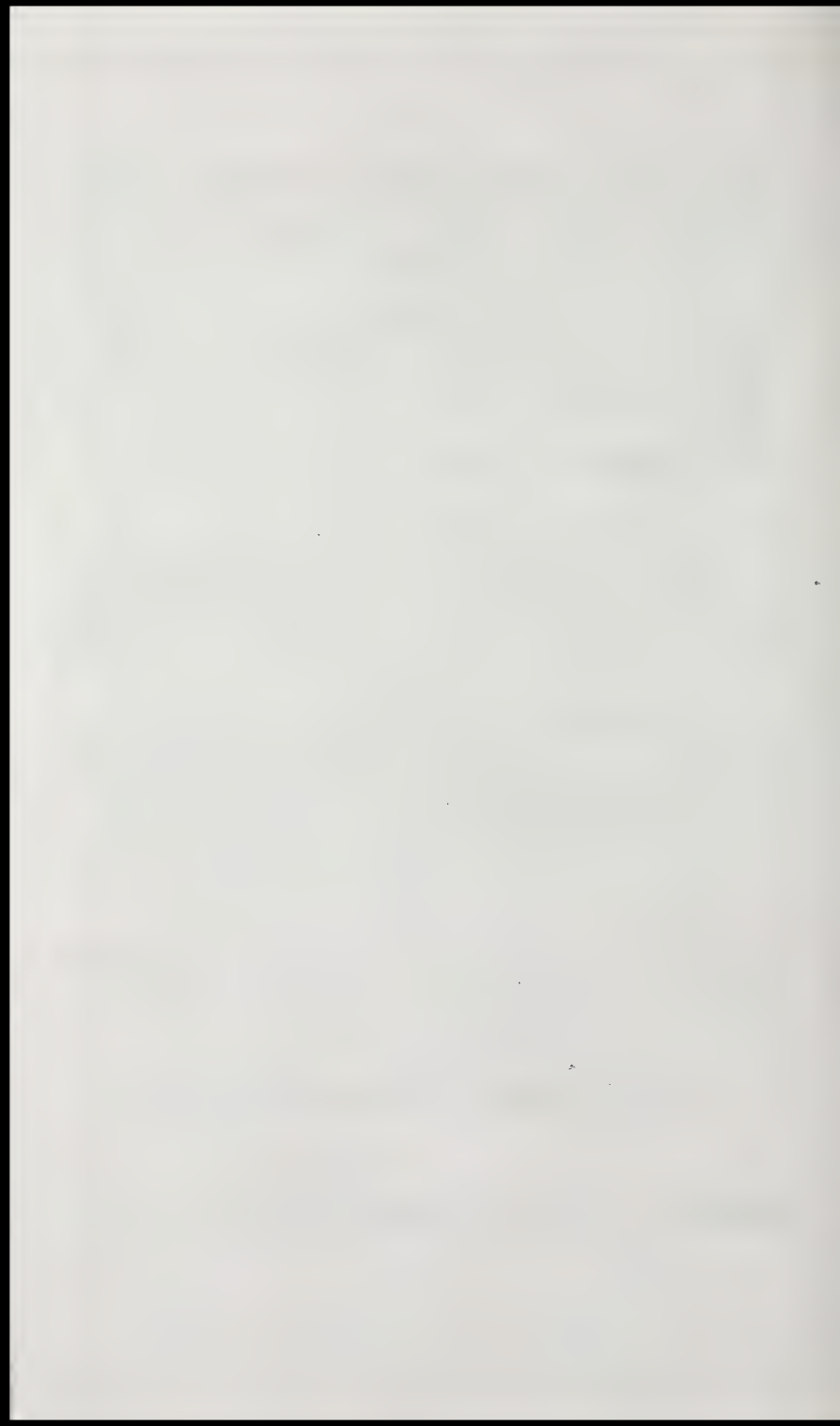
The proceedings, findings and sentences in the cases of Corporal *John Wallace* and Artificer *John Riley*, Company "D," 7th Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *John Wane*, Company "G," 20th Infantry.
 2. Private *William E. Mayfield*, Company "G," 20th Inf'ty.
 3. Private *Thomas Riley*, Company "G," 20th Infantry.
 4. Private *Joseph Wright*, Company "G," 20th Infantry.
 5. Private *John Hogan*, Company "G," 20th Infantry.
 6. Private *Henry Fitzpatrick*, Company "G," 20th Inf'ty.
 7. Private *Edward Hubbard*, Company "G," 20th Infantry.
 8. Private *Robert Guss*, Company "G," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 28, 1871.

GENERAL ORDERS, }
No. 37. }

1. Before a General Court Martial, which convened at Fort Ripley, Minn., by virtue of Special Orders No. 79, current series, from these Headquarters, and of which Captain E. C. Mason, 20th Infantry, is President, were arraigned and tried:

1st. Private *John Wane*, Company "G," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private (then Corporal) *John Wane*, Company "G," 20th Infantry, an enlisted soldier of the United States, did desert said service (while absent on leave to Crow Wing, Minnesota.) on or about the 29th

day of January, 1871, and did remain absent until apprehended by 1st Sergeant Frank W. Bryant, Company 'G,' 20th Infantry, at the Northern Pacific R. R. Junction, on the 16th day of March, 1871. All this at or near the places, and on or about the dates specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due him, except the just dues of the laundress, and to be dishonorably discharged and drummed out of the service."

2d. Private Wm. E. Mayfield, Company "G," 20th Inf'y.

CHARGE—"Desertion."

Specification.—"In this, that he, Private William E. Mayfield, Company 'G,' 20th Infantry, an enlisted soldier of the United States, did desert said service (while absent with leave to Crow Wing, Minnesota,) on or about the 29th day of January, 1871, and did remain absent until apprehended near the village of Little Falls, Minnesota, on the 12th day of March, 1871. Thirty dollars paid for his apprehension. All this at or near the places, and on or about the dates above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."
To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."
Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due him, except the just dues of the laundress, and to be dishonorably discharged and drummed out of the service."

3d. Private *Thomas Riley*, Company "G," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *Thomas Riley*, Company "G," 20th Infantry, did become so drunk as to be unable to perform his duties as a soldier. This at Fort Ripley, Minn., on the 30th day of January, 1871."

Specification II.—"In this, that he, Private *Thomas Riley*, Company "G," 20th Infantry, did absent himself from his company and post, between tattoo, February 24th, 1871, and reveille, February 25th, 1871, without permission from proper authority. This at or near Fort Ripley, Minn., at the time and place above specified."

Specification III.—"In this, that he, Private *Thomas Riley*, Company "G," 20th Infantry, did become so drunk as to

be unable to perform his duties as a soldier. This at or near Fort Ripley, Minn., on the 16th day of March, 1871."

Specification IV.—"In this, that he, Private *Thomas Riley*, Company 'G,' 20th Infantry, did become so drunk as to be unable to perform his duties as a soldier. This at Fort Ripley, Minn., on the 30th day of March, 1871."

Specification V.—"In this, that he, Private *Thomas Riley*, Company 'G,' 20th Infantry, did violently assault Private *August Koch*, Company 'G,' 20th Infantry, with his fist, and did thereby cause a grievous wound to be inflicted upon the head of the said Private *Koch*. This at Fort Ripley, Minn., on the 20th day of March, 1871."

To which CHARGE and *Specifications* the accused pleaded as follows:

To the 1st *Specification*—"Guilty."
 To the 2d *Specification*—"Guilty."
 To the 3d *Specification*—"Guilty."
 To the 4th *Specification*—"Guilty."
 To the 5th *Specification*—"Guilty."
 To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."
 Of the 2d *Specification*—"Guilty."
 Of the 3d *Specification*—"Guilty."
 Of the 4th *Specification*—"Guilty."
 Of the 5th *Specification*—"Guilty."
 Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due him, and to be dishonorably discharged the service of the United States."

4th. Private *Joseph Wright*, Company "G," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Joseph Wright*, Company 'G,' 20th Infantry, did become so drunk as to be unable properly to perform his duties as a soldier, and did behave in a disorderly manner in his company quarters—kicking out several panes of window glass. All this at or near Fort Ripley, Minn., on the 16th day of March, 1871."

Specification II.—"In this, that he, Private *Joseph Wright*, Company 'G,' 20th Infantry, having been regularly detailed as a 'room orderly,' did fail to perform his duties as such, and did absent himself from his squad room without permission from proper authority. This at Fort Ripley, Minn., on the 22d and 23d days of March, 1871."

Specification III.—"In this, that he, Private *Joseph Wright*, Company 'G,' 20th Infantry, did give whisky or other intoxicating liquor to a Chippewa Indian woman, called 'Mag Casey,' and did also feloniously assault and strike with his fist the said Indian woman. All this near Fort Ripley, Minn., on the 23d day of March, 1871."

Specification IV.—"In this, that he, Private *Joseph Wright*, Company 'G,' 20th Infantry, having been refused permission (by Sergeant John McCarthy, Company 'G,' 20th Infantry,) to visit Lieutenant Wm. H. Hammer, 20th Infantry, in pursuance of existing orders, did reply to said Sergeant McCarthy, Company 'G,' 20th Infantry, 'I'll go and see him, any way,' and did then and there go to the quarters of Lieutenant Hammer. This at Fort Ripley, Minn., on the 29th day of March, 1871."

To which CHARGE and *Specifications* the accused pleaded as follows :

To the 1st *Specification*—"Guilty."
 To the 2d *Specification*—"Guilty."
 To the 3d *Specification*—"Not Guilty."
 To the 4th *Specification*—"Guilty."
 To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."
 Of the 2d *Specification*—"Guilty."
 Of the 3d *Specification*—"Guilty," except the word "*feloniously*."
 Of the 4th *Specification*—"Guilty."
 Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may become due him, except the just dues of the laundress, and to be dishonorably discharged the service of the United States."

5th. Private *John Hogan*, Company "G," 20th Infantry.

CHARGE—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *John Hogan*, Company "G," 20th Infantry, did become so drunk as to be unable to perform his duties as a soldier. This at or near Fort Ripley, Minn., on the 16th day of March, 1871."

Specification II.—"In this, that he, Private *John Hogan*, Company "G," 20th Infantry, did strike, with his fist, Sergeant

John McCarthy, Company 'G,' 20th Infantry, he (McCarthy) being at the time in the performance of his duties as sergeant of the guard, and did say, 'I'll be even with you some day, you son-of-a-bitch.' This at Fort Ripley, Minn., on the 16th day of March, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—"Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) of his monthly pay for one (1) month."

6th. Private *Henry Fitzpatrick*, Company "G," 20th Inf'ty.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *Henry Fitzpatrick*, Company 'G,' 20th Infantry, did assault Private Joseph Truscher, Company 'G,' 20th Infantry, and did endeavor to stab said Private Joseph Truscher with a pair of scissors. This at Fort Ripley, Minn., on the twentieth (20th) day of March, 1871."

Specification 11.—“In this, that he, Private *Henry Fitzpatrick*, Company ‘G,’ 20th Infantry, being present in a room while an assault was being committed on the person of Private *Joseph Truscher*, Company ‘G,’ 20th Infantry, did fail to report the same to the proper authorities, and did become a party to said outrage. This at Fort Ripley, Minn., on the 20th day of March, 1871.”

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—“Not Guilty.”

To the 2d *Specification*—“Not Guilty.”

To the CHARGE—“Not Guilty.”

FINDING.

Of the 1st *Specification*—“Guilty.”

Of the 2d *Specification*—“Guilty.”

Of the CHARGE—“Guilty.”

SENTENCE.

“To forfeit all pay and allowances now due, or that may become due him, except the just dues of the laundress, and to be dishonorably discharged the service of the United States.”

7th. Private *Edward Hubbard*, Company ‘G,’ 20th Inf’y.

CHARGE I.—“Conduct prejudicial to good order and military discipline.”

Specification I.—“In this, that he, Private *Edward Hubbard*, Company ‘G,’ 20th Infantry, did become so drunk as to be unable to perform his duties as a soldier. This at Fort Ripley, Minn., on the 17th day of March, 1871.”

Specification 11.—"In this, that he, Private *Edward Hubbard*, Company 'G,' 20th Infantry, did commit a murderous assault upon Private Joseph Truscher, Company 'G,' 20th Infantry, with an iron poker, or like weapon, and did grievously wound the said Joseph Truscher. This at Fort Ripley, Minn., on or about the 20th day of March, 1871."

CHARGE II.—"Violation of the 43d Article of War."

Specification.—"In this, that he, Private *Edward Hubbard*, Company 'G,' 20th Infantry, having been regularly detailed and warned for guard, did fail to parade with the guard detail of his company, and did absent himself from the place of parade, without permission from proper authority. All this at Fort Ripley, Minn., on or about the 16th and 17th days of March, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*, 1st Charge—"Guilty."

To the 2d *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may be

come due him, except the just dues of the laundress, and to be dishonorably discharged the service of the United States."

8th Private *Robert Gass*, Company "G," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Robert Gass*, Company "G," 20th Infantry, having been refused permission, by the 1st Sergeant of his company, in pursuance of existing orders, to see the Commanding Officer of his company, did say to said 1st Sergeant, 'I am going to see him any way,' and did then and there go to the quarters of his Commanding Officer. This at Fort Ripley, Minn., on the 24th day of February, 1871."

Specification II.—"In this, that he, Private *Robert Gass*, Company "G," 20th Infantry, did become drunk, and while in that condition did visit the quarters of Captain Edwin C. Mason, 20th Infantry, without permission, in violation of existing orders. This at Fort Ripley, Minn., on the 24th day of February, 1871."

Specification III.—"In this, that he, Private *Robert Gass*, Company "G," 20th Infantry, having been ordered by Corporal John McCarthy, Company "G," 20th Infantry, to go with him (Corporal McCarthy) to the guard-house, did refuse to obey said order, saying: 'I won't go with you; you must get a file of the guard if you want to take me.' This at Fort Ripley, Minn., on the 24th day of February, 1871."

Specification IV.—"In this, that he, Private *Robert Gass*, Company "G," 20th Infantry, did strike, with his fist, the 1st

Sergeant of his company (Frank W. Bryant), and did say, 'you're a son-of-a-bitch.' The said sergeant being at the time in the execution of his office. This at Fort Ripley, Minn., on the 24th day of February, 1871."

Specification V.—"In this, that he, Private *Robert Gass*, Company 'G,' 20th Infantry, did use disrespectful and insubordinate language towards Acting Hospital Steward William Fellmer, U. S. A., saying, 'I don't care for you, and you can ——,' and did also say, 'I don't care for the ordnance sergeant, 1st sergeant, hospital steward, or any other non-commissioned officer in the company,' and did also challenge the said acting hospital steward to fight him (*Gass*). This in the company quarters, at Fort Ripley, Minn., on the 24th day of February, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows:

To the 1st *Specification*—"Guilty."
 To the 2d *Specification*—"Guilty."
 To the 3d *Specification*—"Guilty."
 To the 4th *Specification*—"Guilty."
 To the 5th *Specification*—"Guilty."
 To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."
 Of the 2d *Specification*—"Guilty."
 Of the 3d *Specification*—"Guilty."
 Of the 4th *Specification*—"Guilty."
 Of the 5th *Specification*—"Guilty."
 Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due, or that may be-

come due him, except the just dues of the laundress, and to be dishonorably discharged the service of the United States."

II..The proceedings, findings and sentence in the case of Private *William E. Mayfield*, Company "G," 20th Infantry, are approved, and the sentence will be duly executed.

In the case of Private *John Wane*, Company "G," 20th Infantry, (a deserter) the proceedings and findings are approved. Whilst confirming the sentence and ordering its execution, the Major General Commanding calls attention to its manifest inadequacy. A deserter, by the very act of desertion, forfeits his pay and dishonorably separates himself from the service. A sentence of dishonorable discharge and forfeiture of pay alone, places him in no worse position than before his apprehension. On the contrary, it gives him lawful authority for doing the very thing he has attempted, and relieves him of all fear of apprehension and punishment. Dishonorable discharge adds nothing to the disgrace of a man who has shown a desire dishonorably to quit the service. Such a sentence can only serve as an encouragement to others who do not desire to serve out the terms for which they have enlisted.

In the cases of Privates *Thomas Riley*, *Joseph Wright*, *Henry Fitzpatrick*, *Edward Hubbard* and *Robert Gass*, Company "G," 20th Infantry, the proceedings and findings are approved. In failing to sentence these prisoners to confinement in addition to, or instead of, dishonorable discharge, the action of the court does not accord with heretofore approved cases in this Department. Dishonorable discharge without confinement, as a punishment for such offences, is an inducement to men anxious to leave the service, to commit similar offences, with the view of being brought before a court in order that they may be dishonorably discharged; whereas they should be made the subjects of discipline in, and examples to the army. As, however, the court can not be conveniently re-convened, the sentences are confirmed, and will be duly executed.

The proceedings, findings and sentence in the case of Private

John Hogan, Company "G," 20th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 4, 1871.

GENERAL ORDERS, } No. 38. }

The following instructions for the use of the Odometers, prepared by Captain *D. P. Heap*, corps of Engineers, U. S. A., are published for the information and use of officers of this command:

USE OF ODOMETERS.

Definition.—An odometer is a machine, attached to a wagon wheel, which registers the number of revolutions the wheel makes in going a certain distance

Construction.—It consists of two wheels revolving on a common axis and turned by an endless screw; the outer wheel has 100 and the inner 99 cogs, and each wheel has the same number of divisions as it has cogs; they revolve together, consequently when the outer wheel has completed one revolution, the inner wheel will have gone one division further, thus marking one hundred revolutions of the endless screw; or, what is the same thing, one hundred revolutions of the wagon wheel to which the instrument is attached.

How to attach the odometer.—The odometer is enclosed in a stout leather case to protect it from injury. When in use it should be strapped firmly to the wagon wheel, as near the hub as possible, by passing the strap around two spokes. It makes no difference whether it be fastened on the right or left side of the wagon, provided care be taken to have the odometer wheel *face to the front* (*in the same direction as the horses*), for, should it face backwards, the wheels of the instrument will revolve backwards, and, of course, the reading would be erroneous.

How to read the Instrument.—A pointer shows where to read the outer wheel. The inner wheel is read from the zero of the outer wheel. For example: if the pointer is at 83 on the outer wheel, and the zero of the outer wheel is between 32 and 33 of the inner wheel, the instrument reads 3283. The zero of the outer wheel will exactly coincide with a

division on the inner wheel only when the pointer is also at zero ; in all other cases it will be between two numbers, in which case the smaller number is to be taken.

How to obtain the whole distance traveled.—The odometer registers the number of revolutions of the wagon wheel. If the circumference of the wagon wheel be known, the whole distance is the product of this circumference into the whole number of revolutions.

To obtain this circumference, measure, on a level place, the distance gone over by the wagon wheel in one complete revolution.

GENERAL REMARKS.

The odometer should be attached to the hind wheel of the wagon. It is better to attach it to an army wagon, than to a spring wagon or ambulance.

It should be kept clean and carefully closed to prevent dust, sand, &c., from getting in it.

When starting it is not necessary to set it at zero, but simply to take the reading ; this reading, of course, will be deducted when the distance is computed.

The greatest number it can register is 10,000, consequently if it should read, for example, "8980," and at the next reading "340," the whole number of revolutions made between these two readings would be $10,000 - 8980 + 340 = 1020 + 340 = 1360$. On level roads the odometer is nearly correct ; in rough, hilly country the computed distance should be diminished from 1 to 3 per cent., according to the nature of the ground.

It will be well to record each reading as it is taken, as a part of the journal of the march.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.

G. C. M.

1. Private *William S. Brown*, Company "G," 7th Infantry.
 2. Private *John O'Connell*, Company "H," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 16, 1871.

GENERAL ORDERS, }
No. 39. }

I. . Before a General Court Martial, which convened at Camp Baker, M. T., by virtue of Special Orders No. 30, current series, from these Headquarters, and of which Captain D. P. HANCOCK, 7th Infantry, is President, were arraigned and tried :

1st. Private *William S. Brown*, Company "G," 7th Inf'ty.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that Private *W. S. Brown*, Company "G," 7th Infantry, a duly detailed member of the post guard, having been duly posted as a sentinel on Post No. 1, did permit two prisoners in his charge to escape. All this at Camp Baker, M. T., on or about January 10th, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification* of the *Charge*—"Guilty, omitting the words, 'did permit two prisoners in his charge to escape,' substituting therefor the words, 'did neglect his duty in not taking proper care of two prisoners, for whom he was responsible.'"

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) of his monthly pay for a period of six (6) months."

2d. Private *John O'Connell*, Company "H," 7th Infantry.

CHARGE.—"Theft, prejudicial to good order and military discipline."

Specification I.—"In that Private *John O'Connell*, Company 'H,' 7th Infantry, did enter the store-room in the corral at Camp Baker, M. T., and did take, without permission, the following Quartermaster's stores, viz.: Four (4) adamantine candles, the said stores being for illumination of public stables. All this at Camp Baker, M. T., on or about the 30th day of January, 1871."

Specification II.—"In that Private *John O'Connell*, Company 'H,' 7th Infantry, did feloniously enter the corral at Camp Baker, M. T., and did then and there open a box belonging to Private George O. Hodges, Company 'G,' 7th Infantry, in charge of public stables, and take therefrom four (4) adamantine candles, belonging to the Quartermaster's Department. All this at Camp Baker, M. T., on or about the 30th day of January, 1871."

To which CHARGE and *Specifications* the accused pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Not Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him.*"

H..In the foregoing case of Private *William S. Brown*, Company "G," 7th Infantry, the proceedings, findings and sentence are approved. The sentence will be duly executed.

The proceedings, findings and acquittal in the case of Private *John O'Connell*, Company "H," 7th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Private *Thomas Maher*, Company "D," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA, *Saint Paul, Minn., May 17, 1871.*

GENERAL ORDERS, }
No. 40. }

I. . Before a General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 91, current series, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, was arraigned and tried:

Private *Thomas Maher*, Company "D," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *Thomas Maher*, Company 'D,' 20th Infantry, did enter the quarters of his company in a drunken condition, and upon being ordered to the guard-house, by 1st Sergeant Henry C. Smith, Company 'D,' 20th Infantry, (he at the time being in the execution of his office,) did positively refuse to obey such order, saying 'I wont go,' or words to that effect, and did strike, with his clenched fist, 1st Sergeant Henry C. Smith, Company 'D,' 20th Infantry. All this at or near Fort Abercrombie, D. T., on or about January 31st, 1871."

Specification II.—"In this, that he, Private *Thomas Maher*, Company 'D,' 20th Infantry, did use threatening and abusive language towards Sergeant George Thompson, Company 'D,' 20th Infantry, (he being at the time in the execution of his office.) viz.: 'Son-of-a-bitch,' and 'you son-of-a-bitch, I can lick you,' repeating the words several times. All this at or near Fort Abercrombie, D. T., on or about January 31st, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows:

To the 1st *Specification*—"Guilty."

To the 2d *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States fifteen dollars (\$15) of his monthly pay, for the period of two months, and to be confined at hard labor, under charge of the guard, for the period of thirty (30) days."

II..The proceedings, findings and sentence in the foregoing case are approved. The sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *John Keyes*, Company "E," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 18, 1871.

GENERAL ORDERS, }
No. 41. }

I..Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders No. 39, current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, was arraigned and tried:

Private *John Keyes*, Company "E," 7th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification.—"In this, that he, Private *John Keyes*, Company 'E,' Seventh Infantry, having been detailed as a member of the post guard, at Fort Benton, M. T., was found so much under the influence of intoxicating liquor, at the time he was inspected at guard mounting, as to be unable to perform his duties properly. All this at Fort Benton, M. T., on or about the 7th day of February, 1871."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."
 To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."
 Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, at the post where his company may be serving, for the period of ninety days."

II..The proceedings, findings and sentence in the foregoing case are approved. The sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *Orlando J. Trowbridge*, Company "F," 7th Inf'ty.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 19, 1871.

GENERAL ORDERS, }
No 42. }

I. . Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders Nos. 112 and 209, series of 1870, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, was arraigned and tried:

Private *Orlando J. Trowbridge*, Company "F," 7th Inf'ty.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Orlando J. Trowbridge*, Company "F," 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Buford, D. T., on or about the 9th day of July, 1870, and did remain absent therefrom until apprehended at or near Fort Stevenson, D. T., on or about the 15th day of July, 1870. All this on or about the times and places specified."

CHARGE II.—“ Theft, to the prejudice of good order and military discipline.”

Specification.—“ In this, that he, Private *Orlando J. Trovbridge*, Company ‘F,’ 7th Infantry, did feloniously take, steal and carry away the following named property of the United States, viz.: one (1) Springfield breech-loading rifled musket, and forty (40) rounds of ammunition. All this at Fort Buford, D. T., on or about the 9th day of July, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—“ Guilty.”

To the 1st CHARGE—“ Guilty.”

To the *Specification*, 2d Charge—“ Guilty.”

To the 2d CHARGE—“ Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“ Guilty.”

Of the 1st CHARGE—“ Guilty.”

Of the *Specification*, 2d Charge—“ Guilty.”

Of the 2d CHARGE—“ Guilty.”

SENTENCE.

“ To forfeit to the United States all pay and allowances now due, or to become due, except the just dues of the laundress ; to be drummed out of, and dishonorably discharged the service of the United States, and then to be confined for the period of two years, in such penitentiary as the Commanding General may designate.”

II..The proceedings, findings and sentence in the foregoing case are approved. The sentence will be duly executed, with the exception of so much thereof as relates to drumming out

of the service, which is remitted. The Minnesota State Penitentiary, at Stillwater, Minn., is designated as the place of confinement.

In accordance with the provisions of General Orders No. 40, 1871, from the War Department, the prisoner will not be dishonorably discharged until the expiration of his term of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL.



G. C. M.

Private *Anton Schwartz*, Company "E," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., May 20, 1871.

GENERAL ORDERS, }
No. 43. }

I., Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders Nos. 61, 65, and 85, current series, from these Headquarters, and of which Surgeon A. HEGER, U. S. A., is President, was arraigned and tried:

Private *Anton Schwartz*, Company "E," 20th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that Private *Anton Schwartz*, of Company 'E,' 20th Infantry, having been duly posted as a sentinel over the quarters occupied by First Lieutenant James E. Batchelder, 2d Cavalry, a prisoner, did permit said Batchelder to escape. This at Fort Snelling, Minn., between the hours of 2 and 4 o'clock A. M., April 24th 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him*," Private *Anton Schwartz*, Company "E," 20th Infantry.

II. . The proceedings, findings and acquittal in the foregoing case are approved. Orders have already been issued, restoring the prisoner to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *Edward Levi*, Company "E," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 21, 1871.

GENERAL ORDERS, }
No. 44. }

I. . Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 27, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, was arraigned and tried :

Private *Edward Levi*, Company "E," 20th Infantry.

CHARGE.—" Violation of the 46th Article of War : Sleeping on Post."

Specification.—" In this, that he, Private *Edward Levi*, Company 'E,' 20th Infantry, having been duly mounted as a member of the post guard, and posted as a sentinel on post No. 2, in charge of Government stables, was found sleeping on his post, between the hours of 10 and 12 P. M. This at Fort Snelling, Minn., on the night of April 27th, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit ten dollars of his pay per month, for six months, and to be confined at hard labor, in charge of the guard, for two months, ten days in each of which to be kept in solitary confinement on bread and water."

II..The proceedings, findings and sentence in the foregoing case are approved. The sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *Thomas Butler*, Company "A," 7th Infantry.
 2. Private *Thomas Sherlin*, Company "H," 2d Cavalry.
 3. Private *James Hill*, Company "L," 2d Cavalry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA, *Saint Paul, Minn., May 22, 1871.*

GENERAL ORDERS, }
No. 45. }

I. . Before a General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders No. 32, current series, from these Headquarters, and of which Major E. M. BAKER, 2d Cavalry, is President, were arraigned and tried:

1st. Private *Thomas Butler*, Company "A," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Thomas Butler*, Company 'A,' 7th Infantry, was drunk and disorderly in his quarters, loading first a musket and afterwards a carbine, and pointing them at men in the quarters in a threatening and dangerous manner. This at or near Fort Ellis, M. T., on or about March^d 24th, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty, except the words, 'loading first a musket and afterwards a carbine.'"

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty, except the words, 'and afterwards a carbine.'"

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) of his monthly pay, for the period of six (6) months, and to be confined at hard labor, under charge of the guard, for the same period."

2d. Private *Thomas Sherlin*, Company "H," 2d Cavalry.

CHARGE—"Desertion."

Specification.—"In this, that he, *Thomas Sherlin*, Private (late Sergeant) Company 'H,' 2d U. S. Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on the 11th day of April, 1870, and did so remain a deserter, until apprehended at or near Sterling, M. T., on the 18th day of June, 1870. Thirty dollars (\$30) reward paid for his apprehension."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, until the expiration of his term of service; to wear a ball weighing twenty-four (24) pounds, attached to his left leg by a chain four (4) feet long; to forfeit all pay and allowances that are now due, or that may become due, except the just dues of the laundress and necessary fatigue clothing, and at the expiration of his term of service, to be dishonorably discharged."

3d. Private *James Hill*, Company "L," 2d Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification.—"In this, that he, Private *James Hill*, Company 'L,' 2d Cavalry, did, while a member of the post guard, become so drunk as to be unfit to perform his duty. All this at Fort Ellis, M. T., on the 27th day of March, 1871."

To which *CHARGE* and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, for the period of twelve (12) months."

II..The proceedings, findings and sentence in the case of Private *Thomas Butler*, Company "A," 7th Infantry, are disapproved, the record not containing evidence of the lawful organization of the court, and the sentence not being authenticated by the signatures of the President and Judge Advocate. Private *Butler* will be released from confinement and restored to duty.

The proceedings, findings and sentences in the cases of Privates *Thomas Sherlin*, Company "H," and *James Hill*, Company "L," 2d Cavalry, are approved. The sentences will be duly carried into execution.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *William Henry*, Company "I," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 23, 1871.

GENERAL ORDERS, }
No 46. }

I., Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders No. 23, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, was arraigned and tried:

Private *William Henry*, Company "I," 7th Infantry.

CHARGE.—"Forgery, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *William Henry*, private of Company "I," 7th U. S. Infantry, did write an imitation of the signature of C. C. Gilbert, Lieutenant Colonel of the 7th Infantry, upon an order for whisky, which order for whisky was in words and figures following, to wit:

‘Fort Buford, D. T., January 3rd, 1871.

‘Messrs. Durfee & Peck :

‘Will sell to John W. Short (bearer) one (1) qt. whisky, (for cash).

‘WASHINGTON MATTHEWS,

‘Assistant Surgeon, U. S. A.

‘Approved,

‘C. C. GILBERT.

‘Lieut. Col. 7th Inf’y,

‘Commanding.’

with the intent to have the same passed at the store of Durfee & Peck, as a genuine order, signed by Lieutenant Colonel C. C. Gilbert, 7th U. S. Infantry, commanding the post of Fort Buford, D. T. This at Fort Buford, D. T., on or about the 3d day of January, 1871.”

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—“Guilty.”

To the CHARGE—“Guilty.”

FINDING.

Of the *Specification*—“Guilty.”

Of the CHARGE—“Guilty.”

SENTENCE.

“To forfeit to the United States all pay and allowances now due, or that may become due him ; to have his head shaved, and to be dishonorably discharged the service of the United States, and to be confined for two years in such penitentiary as the Commanding General may designate.”

II..The proceedings, findings and sentence in the foregoing

case are approved. The sentence will be duly carried into execution. The Minnesota State Penitentiary at Stillwater, Minn., is designated as the place of confinement.

In accordance with the provisions of General Orders No. 40, 1871, War Department, so much of the sentence as relates to dishonorable discharge, will take effect at the expiration of the term of confinement.

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BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Hugh McLean*, Company "L," 2d Cavalry.
 2. Private *Dennis Shannon*, Company "L," 2d Cavalry.
 3. Private *James Harris*, Company "A," 7th Infantry.
 4. Private *Thomas F. Foy*, Company "A," 7th Infantry.
 5. Private *Edward C. Livingston*, Company "F," 2d Cavalry.
 6. Private *Thomas Hall*, Company "H," 2d Cavalry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 24, 1871.

GENERAL ORDERS, }
No. 47. }

I. . Before a General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders No. 32, current series, from these Headquarters, and of which Captain D. P. HANCOCK, 20th Infantry, is President, were arraigned and tried:

1st. Private *Hugh McLean*, Company "L," 2d Cavalry.

CHARGE I.—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Hugh McLean*, Company 'L,' 2d U. S. Cavalry, being ordered by Corporal William S. Gray, Company 'L,' 2d U. S. Cavalry, to remain in his bunk in the company quarters of Company 'L,' 2d Cavalry, did refuse to obey the said order, and did

forcibly resist the said Corporal William S. Gray, Company 'L,' 2d Cavalry, he being in the proper execution of his duty. This at Fort Ellis, M. T., on or about the 20th day of February, 1871."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, Private *Hugh McLean*, Company 'L,' 2d Cavalry, did, on being placed in his bunk, in the company quarters of Company 'L,' 2d Cavalry, by Sergeant St. Clair, Company 'L,' 2d Cavalry, assault and strike said Sergeant Clifford St. Clair, Company 'L,' 2d Cavalry, and while struggling with him, did attempt to do the said Sergeant Clifford St. Clair, Company 'L,' 2d Cavalry, grievous bodily injury, he being at the time in the proper execution of his duty. This at Fort Ellis, M. T., on or about the 20th day of February, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) of his monthly pay for the period of ten (10) months, and to be con-

fined, under charge of the guard, at hard labor, for the same period."

2d. Private *Dennis Shannon*, Company "L," 2d Cavalry.

CHARGE I.—"Violation of the 6th Article of War."

Specification.—"In this, that he, Private *Dennis Shannon*, Company 'L,' 2d Cavalry, having been confined in the post guard-house, by his superior officer, Captain Edward Ball, 2d Cavalry, officer of the day, did use foul and abusive language, to wit: 'Son-of-a-bitch,' towards his superior and Commanding Officer, Lieutenant L. H. Jerome, 2d Cavalry, he being in the execution of his duty as officer of the post guard. This at Fort Ellis, M. T., on or about the 20th day of February, 1871."

CHARGE II.—"Offering violence against his superior officer, in violation of the 9th Article of War."

Specification.—"In this, that he, Private *Dennis Shannon*, Company 'L,' 2d Cavalry, having been confined in the post guard-house, by his superior officer, Captain Edward Ball, 2d Cavalry, officer of the day, did attempt to strike Lieutenant L. H. Jerome, 2d Cavalry, he being in the execution of his office as officer of the post guard. This at Fort Ellis, M. T., on or about the 20th day of February, 1871."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Dennis Shannon*, Company 'L,' 2d Cavalry, did convey whisky to prisoners under charge of the post guard, knowing that the said act

was contrary to existing orders. This at Fort Ellis, M. T., on or about the 20th day of February, 1871."

Specification II.—"In this, that he, Private *Dennis Shannon*, Company 'L,' 2d Cavalry, did use threatening and abusive language to Sergeant Martin Shannon, Company 'L,' 2d Cavalry, and did strike the said Sergeant Shannon, and forcibly resist his lawful authority, he being in the proper execution of his duty as Sergeant of the post guard. This at Fort Ellis, M. T., on or about the 20th day of February, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the 1st *Specification*, 3d Charge—"Not Guilty."

To the 2d *Specification*, 3d Charge—"Guilty, except the words, 'did use abusive and threatening language.'"

To the 3d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

Of the 1st *Specification*, 3d Charge—"Guilty."

Of the 2d *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due, or that may become due, except the just dues of the laun-

dress ; to be dishonorably discharged the service ; and to be confined in such penitentiary as the Commanding General of the Department directs, for the period of two (2) years."

3d. Private *James Harris*, Company "A," 7th Infantry.

CHARGE.—"Absence without leave."

Specification.—"In this, that he, Private *James Harris*, Company 'A,' 7th Infantry, did absent himself from his company and post, from before reveille until near retreat, without leave from proper authority. This at or near Fort Ellis, M. T., on or about January 26th, 1871."

CHARGE II.—"Drunkenness on duty."

Specification.—"In this, that he, Private *James Harris*, Company 'A,' 7th Infantry, having been duly detailed for Cook's police, was found drunk on said duty. This at Fort Ellis, M. T., on or about January 31st, 1871."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *James Harris*, Company 'A,' 7th Infantry, was drunk and disorderly in the company quarters. This at Fort Ellis, M. T., on or about January 31st, 1871."

Specification II.—"In this, that he, Private *James Harris*, Company 'A,' 7th Infantry, was drunk and disorderly in the company quarters. This at Fort Ellis, M. T., on or about the 1st day of February, 1871."

Specification III.—"In this, that he, Private *James Harris*, Company 'A,' 7th Infantry, did try to induce Private

Thomas Wilkins, Company 'A,' 7th Infantry, to join him (Private *Harris*) in an assault against Sergeant Edward Comerford, Company 'A,' 7th Infantry. This at Fort Ellis, M. T., on or about the 1st day of February, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the 1st *Specification*, 3d Charge—"Guilty, except the words, 'and disorderly.'"

To the 2d *Specification*, 3d Charge—"Guilty, except the words, 'and disorderly.'"

To the 3d *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

Of the 1st *Specification*, 3d Charge—"Guilty, except the words, 'and disorderly.'"

Of the 2d *Specification*, 3d Charge—"Guilty, except the words, 'and disorderly.'"

Of the 3d *Specification*, 3d Charge—"Not Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) of his monthly pay for the period of five (5) months, and to be confined, at hard labor, under charge of the guard, for the same period."

4th. Private *Thomas F. Foy*, Company "A," 7th Infantry.

CHARGE I.—"Absence without leave."

Specification —"In this, that he, Private *Thomas F. Foy*, Company 'A,' 7th Infantry, did, without proper authority, absent himself from his company and post of Fort Ellis, M. T., from retreat February 6th, 1871, until after retreat February 12th, 1871."

CHARGE II.—"Violation of the 38th Article of War."

Specification.—"In this, that he, Private *Thomas F. Foy*, Company 'A,' 7th Infantry, lost, through neglect, one (1) horse, the property of the United States, and for which Capt. D. P. Hancock, 7th Infantry, is responsible. All this at or near the Yellowstone Canon, on the Yellowstone river, on or about February 6th, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Guilty, except the words, 'through neglect.'"

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty, and attach no criminality thereto."

Of the 1st CHARGE—"Not Guilty."

Of the *Specification*, 2d Charge—"Guilty, except the words, 'through neglect.'"

Of the 2d CHARGE—"Not Guilty."

And the Court does therefore "*acquit him.*"

5th. Private *Edward C. Livingston*, Company "F," 2d Cavalry.

CHARGE I.—"Desertion."

Specification—“ In this, that *Edward C. Livingston*, a private in Company 'F,' 2d Cavalry, having been duly enlisted in the service of the United States, did desert the same, and did remain absent until apprehended near the West Gallatin River, M. T., on or about the 31st of January, 1871. Thirty dollars being paid for his apprehension. This at Fort Ellis, M. T., on or about the 24th of July, 1870.”

CHARGE II.—“ Theft, to the prejudice of good order and military discipline.”

Specification I.—“ In this, that *Edward C. Livingston*, a private of Company 'F,' 2d Cavalry, did feloniously take, steal, and carry away one horse, one saddle blanket, one saddle complete, one head halter and strap, one horse brush, one curry-comb, one curb bridle, one Sharpe's carbine, two army pistols, two pistol holsters, one carbine sling and swivel, one sabre belt and plate, one cartridge-box, one canteen, and one haversack, all the property of the United States, and for which 2d Lieut. G. C. Doane, 2d Cavalry, is responsible. This at Fort Ellis, M. T., on or about the 24th of July, 1870.”

Specification II.—“ In this, that *Edward C. Livingston*, a private in Company 'F,' 2d Cavalry, while a deserter from the service of the United States, did steal, or have in his possession, and did dispose of to a citizen, one horse, the property of the United States, and for which Capt. E. Ball, 2d Cavalry was responsible; which horse was stolen from the mail orderly, in the town of Bozeman, M. T., on or about the 10th day of January, 1871. This in or near Gallatin Valley, M. T., during the month of January, 1871.”

CHARGE III.—“ Violation of the 46th Article of War.”

Specification.—“ In this, that *Edward C. Livingston*, a private in Company ‘F,’ 2d Cavalry, being a member of the post guard, mounted on or about the 23d of July, 1870, and while a sentinel on post No. 3, at the Company stables, did leave his post before he had been regularly relieved. This at Fort Ellis, on or about the 24th of July, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—“ Not Guilty.”

To the 1st CHARGE—“ Not Guilty.”

To the 1st *Specification*, 2d Charge—“ Not Guilty.”

To the 2d *Specification*, 2d Charge—“ Not Guilty.”

To the 2d CHARGE—“ Not Guilty.”

To the *Specification*, 3d Charge—“ Not Guilty.”

To the 3d CHARGE—“ Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“ Guilty.”

Of the 1st CHARGE—“ Guilty.”

Of the 1st *Specification*, 2d Charge—“ Guilty, except one horse brush, one currycomb, two (2) army pistols, two (2) pistol holsters, one canteen, one haversack.”

Of the 2d *Specification*, 2d Charge—“ Guilty.”

Of the 2d CHARGE—“ Guilty.”

Of the *Specification*, 3d Charge—“ Guilty.”

Of the 3d CHARGE—“ Guilty.”

SENTENCE.

“ To be dishonorably discharged the service ; to forfeit all pay and allowances that are or may become due him, except the just dues of the laundress ; and to be confined in such penitentiary as the Commanding General of the Department may direct, for the period of six (6) years.

6th. Private *Thomas Hall*, Company "H," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, *Thomas Hall*, a private of Company 'H,' 2d U. S. Cavalry, having been duly enlisted in the service of the United States, did desert the same at Fort Ellis, M. T., on the 21st day of February, 1871. and did so remain a deserter until apprehended at or near Hamilton, M. T., on the 22d day of February, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Thomas Hall*, a private of Company 'H,' 2d U. S. Cavalry, did take, steal, and carry away, one (1) horse, one (1) saddle, one (1) bridle, one (1) head halter, and one (1) saddle blanket, the property of the United States, and for which Captain Lewis Thompson, 2d U. S. Cavalry, was responsible. This at Bozeman City, M. T., on the 21st day of January, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service; and to be confined in such penitentiary as the Commanding General may direct, for the period of three (3) years."

II. The proceedings, findings and sentences in the cases of Private *Hugh McLean*, Company "L," 2d Cavalry, and Private *James Harris*, Company "A," 7th Infantry, are approved. The sentences will be duly executed.

In the case of Private *Dennis Shannon*, Company "L," 2d Cavalry, the proceedings, findings and sentence are disapproved.

Besides the improper manner in which the examination of the witnesses was conducted, viz.: by means of leading questions, there is an entire absence of proof of the 1st Specification to the 3d Charge. Moreover, the sentence of confinement in a penitentiary, for the offences of which the prisoner was convicted, is an illegal punishment, and cannot be enforced. Nor does the record contain proper evidence of the lawful organization of the Court. Private *Shannon* will be released from confinement and restored to duty.

The proceedings, findings and acquittal in the case of Private *Thomas F. Foy*, Company "A," 7th Infantry, are approved. He will be released from confinement and restored to duty.

In the case of Private *Edward C. Livingston*, Company "F," 2d Cavalry, the proceedings are disapproved on account of their many irregularities and the defects in the record.

Although the court excused a member because feeling unwell, (but without surgeon's certificate,) and again, upon the simple expression of a desire to be excused for the purpose of attending to important business, the prisoner's challenge of a member because of his interest, and his being a material witness, was not sustained, and this without any statement from the challenged member, and notwithstanding that it might have been done without reducing the court below a minimum.

Moreover, although the prisoner's confession was used in evidence against him, he was not allowed to show that it was not a voluntary confession. It also appears that the prisoner was shackled during a part of the trial, without apparently any necessity for such an unusual proceeding. Private *Livingston* will be released from confinement and restored to duty.

In the case of Private *Thomas Hall*, Company "H," 2d Cavalry, the proceedings, findings, and sentence are approved. In accordance with the provisions of General Orders No. 40, current series, from the War Department, so much of the sentence as relates to the prisoner's dishonorable discharge, will take effect upon the expiration of his term of confinement. As thus modified, the sentence will be duly executed. The Minnesota State Penitentiary, at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. 1st Lieutenant *Martin E. Hogan*, 22d Infantry.
 2. 2d Lieutenant *C. C. Cusick*, 22d Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 25, 1871.

GENERAL ORDERS, }
No. 48. }

I. . Before a General Court Martial, which convened at Lower Brulé Agency, D. T., by virtue of Special Orders Nos. 42 and 54, current series, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, were arraigned and tried:

1st. 1st Lieutenant *Martin E. Hogan*, 22d Infantry.

CHARGE I.—“Conduct unbecoming an officer and a gentleman.”

Specification I—“In this, that he, 1st Lieutenant *Martin E. Hogan*, 22d Infantry, did, with unlawful intentions, feloniously, secretly, and forcibly, and in the night time, break into and enter a room in the private quarters of 2d Lieutenant *C. C. Cusick*, 22d Infantry, and Acting Assistant Surgeon *J. C. Byrnes*, U. S. A., occupied as a sleeping room by one *Peter Meyers*—a servant in the employ of the

said Lieut. Cusick and Acting Assistant Surgeon Byrnes, U. S. A., and did then and there make a cowardly assault upon, and do bodily injury to the said Peter Meyers—he, the said Peter Meyers being asleep in his bed, and without the means of protecting himself. This at the Military Station of Lower Brulé Agency, D. T., on or about the night of the 25th of December, 1870.”

Specification II —“In this, that he, 1st Lieutenant *Martin E. Hogan*, 22d Infantry, while exercising command of the Military Station of Lower Brulé Agency, D. T., did, in a manner unbecoming an officer and a gentleman, disgracefully abuse the authority vested in him, by countenancing, aiding and assisting one John Kilillay, a civilian, in frightening and intimidating George W. Hill, late Captain 22d Infantry, whom the said Lieutenant *Hogan* had just succeeded in command, and by such countenance and aid, and failure to prevent the same, did assist in compelling him, the said George W. Hill, through fear of personal violence, to virtually pronounce untrue a certain portion of an official order which he, the said George W. Hill, had issued while commanding officer of said station, which order is in the following words, viz :

‘Headquarters Military Station, Lower Brulé, D. T.,
January 30th, 1871.

‘Special Orders }
No. 5. }

(*Extract.*)

‘I...The Hospital Steward, C. C. Cullen, U. S. Army, having given to the sick in Hospital so much of the liquors that are Medical supplies as to get them drunk, and given it to the Agency trader, John Kilillay, and the men of the command, surreptitiously and freely, 2d Lieut. C. C. Cusick, 22d Infantry, A. C. S., will take charge of all the hospital liquors and store them in the room where the issues are made and locked up, and will allow none to be taken from there except on his written order, and in answer to written prescriptions of the Steward, till the Dr. returns, and then only the exact amount of the prescription, and he will be furnished a copy of the prescription for file and voucher to the quantity he delivered, and he will hold the liquors in his custody as above

specified, until this order is revoked, or it is otherwise ordered by the Department Commander.

‘By order of Capt. GEO. W. HILL.

‘(Signed) ‘C. C. CUSICK,
2d Lieut., 22 Infantry,
Post Adjutant.’

Whereas, the portion of the said official order so pronounced false, was true in every respect, and he, the said George W. Hill, having been mustered out of the service, and being without the means of resisting the said injustice. This at the Military Station of Lower Brulé Agency, D. T., on the 1st of February, 1871.”

Specification III.—“ In this, that he, 1st Lieutenant *Martin E. Hogan*, 22d Infantry, having assumed command of the Military Station of Lower Brulé Agency, D. T., did, in a manner unbecoming an officer and a gentleman, disgracefully abuse the authority vested in him by aiding and abetting, or knowingly allowing one John Kilillay, a civilian, to make threatening demonstrations against, and unauthorized and illegal demands upon George W. Hill, late Captain 22d Infantry, and whom the said Lieutenant *Hogan* had on the same day succeeded in command, and did, by his connivance at or acquiescence in the outrageous conduct of said Kilillay, and by his failure to prevent the same, assist him, the said Kilillay, to drive out and away from the said station the said George W. Hill, and did compel the said George W. Hill, through fear and apprehension of receiving bodily harm, to remove from the said station the members of his family upon a severely stormy and inclement day, and to travel with them over a long distance of country to Fort Thompson, D. T., thereby greatly endangering their health and lives—he, the said George W. Hill, having been mustered out of the service, and being without the means of resisting said injustice. This at the Military Station of Lower Brulé Agency, D. T., on the 1st day of February, 1871.”

CHARGE II.—“Conduct to the prejudice of good order and military discipline.”

Specification I.—“In this, that he, 1st Lieutenant *Martin E. Hogan*, 22d Infantry, having been absent from his station, and having returned to the same upon the afternoon of the 31st of January, 1871, did, shortly after his return, and upon the evening of that day, without right or authority, attempt and endeavor to assume command of the Military Station of Lower Brulé Agency, D. T.”

Specification II.—“In this, that he, 1st Lieutenant *Martin E. Hogan*, 22d Infantry, while exercising command of the Military Station of Lower Brulé Agency, D. T., did allow certain portions of official proceedings and records of the said station to be openly and publicly attacked and condemned and pronounced false and untrue by a private citizen called John Kilillay, and within the garrison over which he exercised command, and did associate and keep company with the said Kilillay, before and after the said records had been pronounced false, and did uphold and countenance the said Kilillay in making an unwarrantable and illegal demand for retraction of the same from George W. Hill, formerly Captain 22d Infantry, by whose official action the said proceedings became of record—whereas the said proceedings and record were true in fact and deed, and were publicly known or supposed to be true. This at the Military Station of Lower Brulé Agency, D. T., on the 1st day of February, 1871.

Specification III.—“In this, that he, 1st Lieutenant *Martin E. Hogan*, 22d Infantry, being in command of the Military Station of Lower Brulé Agency, D. T., did willfully and knowingly allow the peace and quiet of his garrison to be threatened and disturbed by permitting John Kilillay, a private citizen, to enter the same and threateningly demand from George W. Hill, formerly Captain 22d Infantry

and Commanding Officer of said station, a retraction in writing, of a certain portion of an official order which the said George W. Hill had issued as Commanding Officer of the said station, and which order is in the following words :

‘Headquarters Military Station, Lower Brulé, D. T.,
January 30th, 1871.

‘Special Orders }
No. 5. }

(*Extract.*)

‘I...The Hospital Steward, C. C. Cullen, U. S. Army, having given to the sick in Hospital so much of the liquors that are medical supplies as to get them drunk, and given it to the Agency trader, John Kilillay, and the men of the command, surreptitiously and freely, 2d Lieut. C. C. Cusick, 22d Infantry, A. C. S., will take charge of all the Hospital liquors and store them in the room where the issues are made, and locked up, and will allow none to be taken from there except on his written order and in answer to written prescriptions of the Steward, till the Dr. returns, and then only the exact amount of the prescription, and he will be furnished a copy of the prescription for file and voucher to the quantity he delivered, and he will hold the liquors in his custody, as above specified, until this order is revoked, or it is otherwise ordered by the Department Commander.

‘By order of Capt. GEO. W. HILL.

‘(Signed) ‘C. C. CUSICK,
2d Lieut. 22d Infantry,
Post Adjutant.’

This at the Military Station of Lower Brulé Agency, D. T., on the 1st day of February, 1871.”

Specification IV.—“In this, that he, 1st Lieutenant *Martin E. Hogn*, 22d Infantry, did, with unlawful intentions, feloniously secretly and forcibly and in the night time, break into and enter a room in the private quarters of 2d Lieut. C. C. Cusick, 22d Infantry, and Acting Assistant Surgeon J. C. Byrnes, U. S. A., occupied as a sleeping room by one Peter Meyers, a servant in the employ of the said Lieut. Cusick and Acting Assistant Surgeon Byrnes, and did

then and there make a cowardly assault upon and do bodily injury to the said Peter Meyers—he, the said Peter Meyers being asleep in his bed, and without the means of protecting himself. This at the Military Station of Lower Brulé Agency, D. T., on or about the night of the 25th of December, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the 1st *Specification*, 1st Charge—“ Not Guilty.”

To the 2d *Specification*, 1st Charge—“ Not Guilty.”

To the 3d *Specification*, 1st Charge—“ Not Guilty.”

To the 1st CHARGE—“ Not Guilty.”

To the 1st *Specification*, 2d Charge—“ Not Guilty.”

To the 2d *Specification*, 2d Charge—“ Not Guilty.”

To the 3d *Specification*, 2d Charge—“ Not Guilty.”

To the 4th *Specification*, 2d Charge—“ Not Guilty.”

To the 2d CHARGE—“ Not Guilty.”

FINDING.

Of the 1st *Specification*, 1st Charge—“ Guilty, with the exception of the words, ‘ feloniously, secretly and forcibly,’ ‘ break into and,’ ‘ a cowardly,’ ‘ asleep.’ ”

Of the 2d *Specification*, 1st Charge—“ Not Guilty ”

Of the 3d *Specification*, 1st Charge—“ Not Guilty.”

Of the 1st CHARGE—“ Not Guilty, but guilty of unofficerlike conduct.”

Of the 1st *Specification*, 2d Charge—“ Guilty, but attach no criminality thereto.”

Of the 2d *Specification*, 2d Charge—“ Not Guilty.”

Of the 3d *Specification*, 2d Charge—“ Not Guilty.”

Of the 4th *Specification*, 2d Charge—“ Guilty, with the exception of the words ‘ feloniously, secretly and forcibly,’ ‘ break into and,’ ‘ cowardly,’ ‘ asleep.’ ”

Of the 2d CHARGE—“ Guilty.”

SENTENCE.

"To be confined to the limits of the post where he may be serving, for the period of three months, and that he forfeit one hundred dollars (\$100 00) of his monthly pay for one month."

2d. 2d Lieutenant *C. C. Cusick*, 22d Infantry.

CHARGE I.—"Neglect of duty to the prejudice of good order and military discipline."

Specification I.—"In this, that he, 2d Lieutenant *C. C. Cusick*, 22d Regiment of U. S. Infantry, while on duty at the Military Station of Lower Brulé Agency, D. T., and while Adjutant of the same, and also Officer of the Day, and in charge of the post guard, did allow the peace and quiet of the command to be threatened, the dignity of the service to be compromised, the military authority of the said station to be set at defiance, and the whole garrison to be insulted by knowingly and silently permitting a certain citizen named John Kilillay to enter the said station and, with hostile demeanor and apparent evil intent, demand from George W. Hill, formerly Captain 22d infantry and commanding officer of said station, and who had at the time only completed the action necessary to turn over the command to his successor—a retraction, in writing, of a certain portion of an official order which the said Captain Hill had issued as Commanding Officer of said station, and did allow the said Kilillay by his conduct, bearing and language, to so intimidate the said Captain Hill, that the latter did, through fear of receiving bodily harm, make retraction as demanded, although the portion of said order so retracted was true in fact and representation, and was rightly prepared and published by the said Captain Hill in the proper discharge of his duties as Commanding Officer of said station. This at the Military Station of Lower Brulé Agency, D. T., on the 1st day of February, 1871."

Specification II.—"In this, that he, 2d Lieutenant *C. C. Cusick*, 22d Regiment of U. S. Inf'try, being on duty at the Military Station of Lower Brulé Agency, D. T., and being the only Commissioned Officer there on duty—except Lieutenant Martin E. Hogan, 22d Infantry—did, without show of force and without even remonstrance or protest, knowingly permit Geo W. Hill, formerly Captain 22d Infantry, Commanding Officer of said station, and who had just turned over that command, and was preparing to remove therefrom, to be wronged, insulted, abused and intimidated by citizen John Kilillay, within the said station, and amid the garrison occupying the same, much to the disgrace and scandal of the service, and did, by his silence and therefore virtual acquiescence in the action of said Kilillay, assist him, the said Kilillay, in compelling the said Captain Hill, through fear of receiving personal injury, to retract, in writing, a certain portion of an official order which the said Captain Hill had issued while in command of the said station, thereby branding with falsehood the records of said station, and casting suspicion and odium upon the official action of its Commanding Officer. This at the Military Station of Lower Brulé Agency, D. T., on the 1st day of February, 1871."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, 2d Lieutenant *C. C. Cusick*, 22d Regiment of U. S. Infantry, while on duty, as Adjutant of the Military Station of Lower Brulé Agency, D. T., having learned that a certain citizen named John Kilillay had demanded from George W. Hill, formerly Captain 22d Infantry and Commanding Officer of said station, who had upon the day in question, turned over the command of and was still, with his family, occupying the Commanding Officer's quarters of the same, a retraction in writing, of a certain portion of an official order which the said Captain Hill had duly issued while in command of said station, did

go to the said Captain Hill and wrongfully and cowardly advise him to make the retraction which the said Kilillay demanded, although the said order which was issued aforesaid, and especially that portion of the same of which retraction was demanded, was true in every respect. This at the Military Station of Lower Brulé Agency, D. T., on the 1st day of February, 1871."

Specification II.—"In this, that he, 2d Lieutenant *C. C. Cusick*, 22d Regiment of U. S. Infantry, while on duty at the Military Station of Lower Brulé Agency, D. T., and filling the office of Adjutant of the same, having learned that citizen John Kilillay had demanded a retraction of a certain portion of a post order issued by George W. Hill, while the latter was a Captain of the 22d Infantry, and Commanding Officer of said station, did go to the said George W. Hill, who was still present with the garrison, and was engaged in, or had just completed the labor of turning over the command of the said station to 1st Lieut. Martin E. Hogan, 22d Infantry, and did advise and counsel him, the said George W. Hill, to retract his official action in accordance with the demand of the said Kilillay, saying to him in substance that unless he did so retract, the said Kilillay would shoot him, or would inflict serious bodily injury upon him, and did, by such advice and counsel, personally given to the said George W. Hill, so influence and work upon the fears of the latter, that he, the said Hill, did, in a note addressed to the said Kilillay, retract, as far as he was able, that part of the said order of which retraction was demanded as aforesaid, notwithstanding the same had been published by the said George W. Hill, in the performance of his official duties while Commanding Officer of said station, was true in fact and had become a part of the post or station records. This at the Military Station of Lower Brulé Agency, D. T., on the 1st day of February, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the 1st *Specification*, 1st Charge—"Not Guilty."

To the 2d *Specification*, 1st Charge—"Not Guilty."

To the 1st *Charge*—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 2d *Charge*—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Not Guilty."

Of the 2d *Specification*, 1st Charge—"Not Guilty."

Of the 1st *Charge*—"Not Guilty."

Of the 1st *Specification*, 2d Charge—"Not Guilty."

Of the 2d *Specification*, 2d Charge—"Not Guilty."

Of the 2d *Charge*—"Not Guilty."

And the Court does therefore "*acquit him*," 2d Lieutenant C. C. *Cusick*, 22d Infantry.

II..In the case of 1st Lieutenant *Martin E. Hogan*, 22d Infantry, the Court finds the accused "Not Guilty" of conduct unbecoming an officer and a gentleman, but guilty of "unofficerlike conduct." There is no such offence known to the Articles of War as "conduct unbecoming an officer," or "unofficerlike conduct." "The unbecoming conduct of a Commissioned Officer of which the law takes notice (under the 83d Article of War,) and authorizes a Court Martial to take cognizance, is '*conduct unbecoming an officer and a gentleman*.'" General Orders No. 8, War Department, 1856, and Benét, p. 149. But the Court might have acquitted the accused of "conduct unbecoming an officer and a gentleman," and convicted him of "conduct prejudicial to good order and military discipline," if, in its opinion such a finding was sustained by the evidence.

The Court also erred in admitting, as evidence, the affidavit of Peter Meyers. Depositions may be taken in certain cases, by virtue of the Act of March 3d, 1863, but that Act does not authorize the use of affidavits which are entirely *ex-parte*, and afford no opportunity for cross-examination. In this case, how-

ever, the witness appears to have been a resident of the Territory in which the Court was held, and therefore his attendance should have been required.

It being impracticable to re-convene the Court for a reconsideration of its findings, the proceedings are disapproved, and Lieutenant *Hogan* will be released from arrest and restored to duty.

The proceedings and findings in the case of Second Lieutenant *C. C. Cusick*, 22d Infantry, are approved. He will be released from arrest and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Ferdinand McLaughlin*, Company "H," 7th Inf'y.
 2. Private *Francis Barker*, Company "B," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., May 26, 1871.

GENERAL ORDERS, }
No. 49. }

I., Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders No. 39, current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried :

1st. Private *Ferdinand McLaughlin*, Company "H," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that Private *Ferdinand McLaughlin*, 'H' Company, 7th Infantry, was guilty of disorderly and riotous conduct in the quarters of 'H' Company, 7th Infantry. This at Fort Shaw, Montana Territory, on or about the 14th day of March, 1871."

Specification II.—"In this, that Private *Ferdinand McLaughlin*, 'H' Company, 7th Infantry, did assault and stab, with

an awl, or other sharp pointed weapon, with intent to do bodily injury, Private Alexander Hamilton, 'H' Company, 7th Infantry. This at Fort Shaw, Montana Territory, on or about the 14th day of March, 1871."

To which CHARGE and *Specifications* the accused pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty, with the exception of the words, 'and riotous,' and of such excepted words, Not Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States twelve (12) dollars of his monthly pay for one month, and to be confined at hard labor, under charge of the guard, for the same period."

2d. Private Francis Barker, Company "B," 7th Infantry.

CHARGE—"Drunkenness on duty."

Specification.—"In this, that Private Francis Barker, 'B' Company, 7th Infantry, having been duly mounted as a member of the post guard, was found drunk. This at Fort Shaw, M. T., on the 14th day of March, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, for three (3) months."

II..The proceedings, findings and sentences in the foregoing cases of Privates *Ferdinand McLaughlin*, Company "H," and *Francis Barker*, Company "B," 7th Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Corporal *Edward Gaffney*, Company "A," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 27, 1871.

GENERAL ORDERS, }
No. 50. }

I..Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders No. 165, series of 1870, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, was arraigned and tried:

Corporal *Edward Gaffney*, Company "A," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, Corporal *Edward Gaffney*, Company 'A,' 17th Infantry, while acting as corporal of the guard, having obtained permission from the sergeant of the guard to absent himself from the guard for a few moments, did fail to return within a reasonable time, but remained absent from about 7 o'clock p. m. until about 4 o'clock a. m., and while so absent did engage in gambling. All this at Grand River Agency, D. T., on or about the 23d day of February, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks, and to forfeit to the United States fifteen dollars (\$15) of his monthly pay for two months."

II.. The proceedings, findings and sentence in the foregoing case are approved, and the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *Thomas Daily*, Company "D," 22d Infantry.
 2. Private *William Jones*, Company "D," 22d Infantry.
 3. Private *Patrick Kennelly*, Company "D," 22d Infantry.
 4. Private *Hughes Frazee*, Company "D," 22d Infantry.
 5. Private *Elijah B. Egan*, Company "D," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 28, 1871.

GENERAL ORDERS, }
No. 51. }

I. Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, series of 1870, from these Headquarters, and of which Lieutenant Colonel ELWELL S. OTIS, 22d Infantry, is President, were arraigned and tried:

1st. Private *Thomas Daily*, Company "D," 22d Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this, that he, Private *Thomas Daily*, Company 'D,' 22d Infantry, did absent himself from his Company and quarters, on the 21st day of March, 1871, without permission from proper authority, and did remain ab-

sent until after retreat on the 22d day of March, 1871, missing four company roll calls. This at Whetstone Agency, D. T., on or about the dates above specified."

CHARGE II—"Disobedience of orders."

Specification.—"In this, that he, Private *Thomas Daily*, Company 'D,' 22d Infantry, did, in violation of paragraph 1, General Orders No. 8, Headquarters Whetstone Agency, D. T., August 23d, 1870, cross the Missouri River without permission from proper authority, said order having been properly published to the command and posted in the company quarters. This at Whetstone Agency, D. T., on or about the 21st day of March, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) per month of his monthly pay for the period of two (2) months."

2d. Private *William Jones*, Company "D," 22d Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this, that he, Private *William Jones*, Company 'D,' 22d Infantry, did absent himself from his company and quarters on the 21st day of March, 1871, without permission from the proper authority, and did remain absent until after retreat on the 22d day of March, 1871, missing four company roll calls. This at Whetstone Agency, D. T., on or about the dates above specified."

CHARGE II.—"Disobedience of orders."

Specification.—"In this, that he, Private *William Jones*, Company 'D,' 22d Infantry, did, in violation of paragraph 1, General Orders No. 8, Headquarters Whetstone Agency, D. T., August 23d, 1870, cross the Missouri River without permission from proper authority, said orders having been properly published to the command and posted in the company quarters. This at Whetstone Agency, D. T., on or about the 21st day of March, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars per month of his monthly pay for four (4) months."

3d. Private *Patrick Kennelly*, Company "D," 22d Infantry.

CHARGE I.—"Absence without leave."

Specification —"In this, that he, Private *Patrick Kennelly*, Company 'D,' 22d Infantry, did absent himself from his company and quarters on the 21st day of March, 1871, without permission from proper authority, and did remain absent until after retreat on the 22d day of March, 1871, missing four company roll calls. This at Whetstone Agency, D. T., on or about the dates above specified."

CHARGE II.—"Disobedience of orders."

Specification.— "In this, that he, Private *Patrick Kennelly*, Company 'D,' 22d Infantry, did, in violation of paragraph I, General Orders No. 8, Headquarters Whetstone Agency, D. T., August 23d, 1870, cross the Missouri river without permission from proper authority, said orders having been properly published to the command and posted in the company quarters. This at Whetstone Agency, D. T., on or about the 23d day of March, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) per month of his monthly pay for the period of four months."

4th. Private *Hughes Frazee*, Company "D," 22d Infantry.

CHARGE I.—"Disobedience of orders to the prejudice of good order and military discipline."

Specification.—"In this, that the said Private *Hughes Frazee*, Company "D," 22d Infantry, on daily duty in kitchen of said Company "D," 22d Infantry, when ordered by Corporal Frederick Miller, Company "D," 22d Infantry, in charge of kitchen of said company, to assist in cleaning the kitchen, (said corporal Frederick Miller being then in the execution of his office,) did refuse to obey said order, and did reply in words to wit: 'I won't do it,' or words to that effect. This at Whetstone Agency, D. T., on or about the 22d day of March, 1871."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that the said Private *Hughes Frazee*, Company "D," 22d Infantry, did encourage Private Elijah B. Egan, Company "D," 22d Infantry, to assault and strike Corporal Frederick Miller, Company "D," 22d Infantry, (said Corporal Miller being in the execution of his office,) making use of the following foul and abusive language, to wit: 'punch the God damned head of that God damned Dutch son-of-a-bitch,' or words to that effect, thereby meaning the said Corporal Miller, Company "D," 22d Infantry. This at Whetstone Agency, D. T., on or about the 22d day of March, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of four (4) months, and to forfeit to the United States all pay for the same length of time."

5th. Private *Elijah B. Egan*, Company "D," 22d Infantry.

CHARGE I.—"Mutiny."

Specification—"In this, that the said Private *Elijah B. Egan*, Company 'D,' 22d Infantry, did forcibly attempt to prevent Corporal Frederick Miller, Company 'D,' 22d Infantry, (said Corporal Miller being at that time in charge of the company kitchen and in the execution of his office,) from enforcing his authority on Private Hughes Frazee, Company 'D,' 22d Infantry, (said Frazee being at that time on daily duty in the kitchen of said company,) by taking hold of Corporal Frederick Miller and making use of the following language, to wit: 'God damn you, you let that man alone,' or words to that effect. This at Whetstone Agency, D. T., on or about the 22d day of March, 1871."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that the said Private *Elijah B. Egan*, Company 'D,' 22d Infantry, did create a serious disturbance in his company quarters by interfering with the duties of Corporal Frederick Miller, Company 'D,' 22d Infantry, (said Corporal Frederick Miller being then in the execution of his office,) and did strike and otherwise offer violence against the said Corporal Frederick Miller. This at Whetstone Agency, D. T., on or about the 22d day of March, 1871."

CHARGE III.—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification.—"In this, that the said *Elijah B. Egan*, Company 'D,' 22d Infantry, when ordered by Corporal Frederick Miller, Company 'D,' 22d Infantry, 'to go away and not to interfere with his duties,' did not obey said order, but continued to assault Corporal Frederick Miller, (the latter being then in the execution of his office.) This at Whetstone Agency, D. T., on or about the 23d day of March, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Not Guilty, but guilty of mutinous and disorderly conduct, to the prejudice of good order and military discipline."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

Of the *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, at such place as the Major General Commanding the Department may direct, for six (6) months, and to forfeit to the United States all pay for the same period."

II..The proceedings, findings and sentences in the foregoing cases of Privates *Thomas Daily*, *William Jones*, *Patrick Kennelly*, and *Hughes Frazee*, Company "D," 22d Infantry, are approved, and the sentences will be duly executed.

In the case of Private *Elijah B. Egan*, Company "D," 22d Infantry, the proceedings, findings and sentence are approved. The sentence will be duly executed at Fort Randall, D. T., which is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *Alexander Ritchards*, Company "H," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., May 31, 1871.

GENERAL ORDERS }
No. 52. }

I..Before a General Court Martial, which convened at Fort Rice, D. T., by virtue of Special Orders No. 164, series of 1870, from these Headquarters, and of which Captain LOUIS H. SANGER, 17th Infantry, is President, was arraigned and tried :

Private *Alexander Ritchards*, Company "H," 17th Infantry.

CHARGE.—“Conduct prejudicial to good order and military discipline.”

Specification I.—“In this, that he, Private *Alexander Ritchards*, Company ‘H,’ 17th Infantry, did enter the mess-room of his company and behave himself in a disorderly manner by taking from the table four (4) earthenware bowls, the private property of Company ‘H,’ 17th Infantry, and willfully breaking the same. All this at Fort Rice, D. T., on or about the evening of the 11th day of February, 1871.”

Specification II.—“In this, that he, Private *Alexander Ritchards*, Company ‘H,’ 17th Infantry, did enter the mess-room

of his company and make a willful assault upon the person of Sergeant Michael Mungovan, Company 'H,' 17th Infantry, (the said sergeant then being in the execution of his office,) by throwing at him two (2) earthenware bowls. All this at Fort Rice, D. T., and on or about the evening of the 11th day of February, 1871."

Specification III.—"In this, that he, Private *Alexander Ritchards*, Company 'H,' 17th Infantry, did make a willful assault upon the person of Private James H. Young, Company 'H,' 17th Infantry, by throwing at him one (1) earthenware bowl. All this at Fort Rice, D. T., and on or about the evening of the 11th day of February, 1871."

Specification IV.—"In this, that he, Private *Alexander Ritchards*, Company 'H,' 17th Infantry, did make use of the following language towards Sergeant Michael Mungovan, Company 'H,' 17th Infantry, viz.: 'You God damned son-of-a-bitch, I'll fix you, you long-whiskered son-of-a-bitch. I'll come even with you,' or words to that effect. All this at Fort Rice, D. T., and on or about the evening of the 11th day of February, 1871."

To which CHARGE and *Specifications* the accused pleaded as follows:

To the 1st *Specification*—"Guilty, except the number, four (4)."

To the 2d *Specification*—"Not Guilty."

To the 3d *Specification*—"Not Guilty."

To the 4th *Specification*—"Not Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty, except the word '*four*,' and substituting '*three*.' Of the excepted portion, 'Not Guilty.'"

Of the 2d *Specification*—"Guilty."

Of the 3d *Specification*—"Guilty."

Of the 4th *Specification*—"Guilty, with the exception of the words 'God damn,' 'I'll fix you, you long-whiskered son-of-a-bitch;'" of the excepted portion, 'Not Guilty.'"

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars per month of his monthly pay for the period of two (2) months, and to be confined at hard labor, in charge of a guard, for the same period."

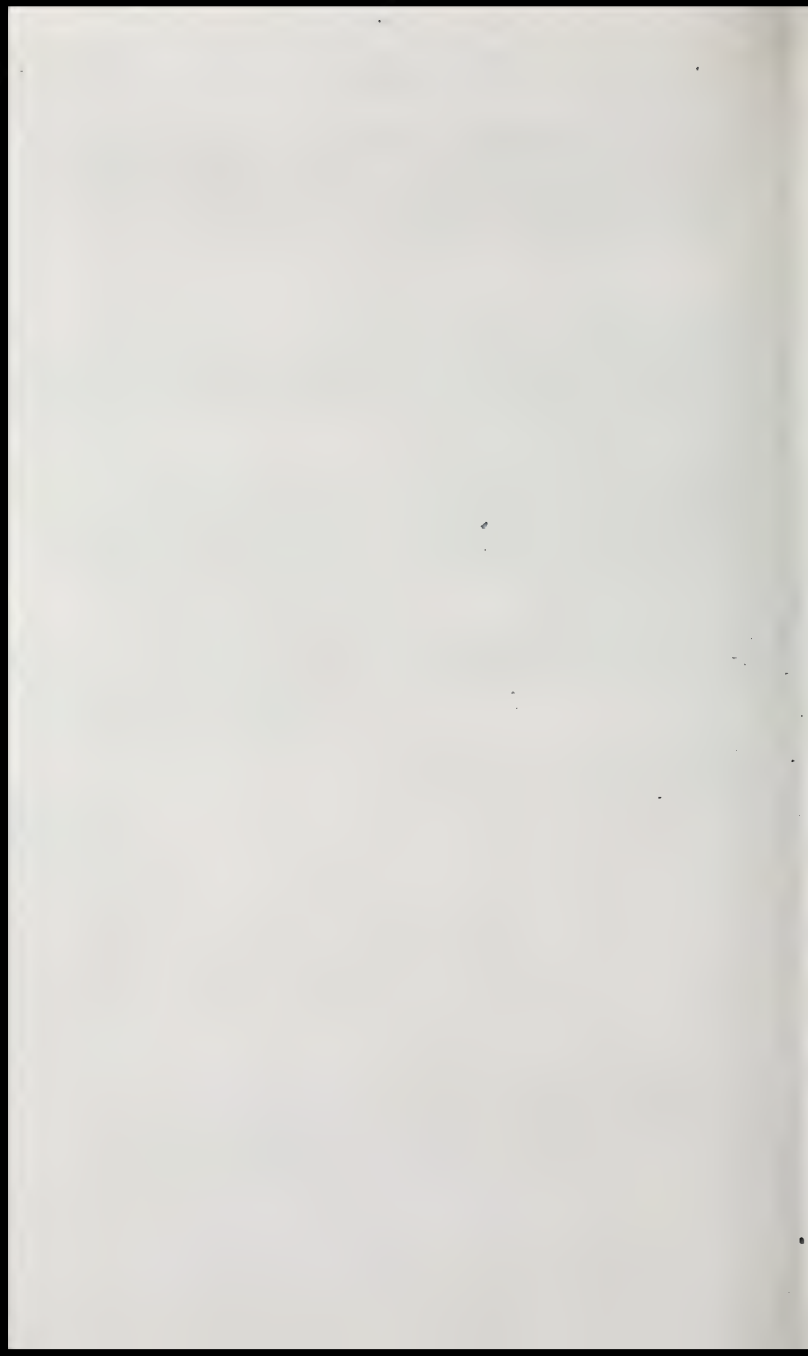
II.. The proceedings, findings and sentence in the foregoing case are approved, but upon the unanimous recommendation of the members of the court, based upon the prisoner's long confinement and previous excellent character, the sentence is remitted. Private *Ritchards* will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *John Woodward*, Company "H," 1st Cavalry.
 2. Private *Edward Johnston*, Company "L," 2d Cavalry.
 3. Private *Louis Lee*, Company "G," 2d Cavalry.
 4. Private *John Murta*, Company "G," 2d Cavalry.
 5. Private *John Donohue*, Company "H," 2d Cavalry.
 6. Private *William Zent*, Company "G," 2d Cavalry.
 7. Private *Martin Farrell*, Company "L," 2d Cavalry.
 8. Private *Peter Gaynor*, Company "L," 2d Cavalry.
 9. Private *John Cochran*, Company "A," 7th Infantry.
 10. Corporal *Morris Doody*, Company "H," 2d Cavalry.
 11. Private *Michael Tracy*, Company "G," 2d Cavalry.
 12. Sergeant *William P. Witherow*, Company "A," 7th Infantry.
 13. Private *William Hyde*, Company "F," 2d Cavalry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 6, 1871.

GENERAL ORDERS, } No. 53. }

I. . Before a General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders No. 32, current series, from these Headquarters, and of which Major E. M. BAKER, 2d Cavalry, is President, were arraigned and tried :

1st. Private *John Woodward*, Company "H," 1st Cavalry.

CHARGE.—"Desertion."

Specification—"In this, that he, Private *John Woodward*, Company 'H,' 1st Cavalry, having been duly enlisted in to the service of the United States, did desert the same, and did remain absent from the 22d day of September, 1866, until he delivered himself up as a deserter at Fort Ellis, M. T., on the 5th day of October, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, for two (2) years, wearing a twenty-four (24) pound ball attached to his left leg with a chain four (4) feet long; and to forfeit to the United States all pay and allowances now due or that may become due for the same period, except the necessary fatigue clothing and just dues of the laundress; and ten (10) dollars to be given him on his final statements at the expiration of his confinement, at which time he shall be dishonorably discharged the service of the United States."

2d. Private *Edward Johnston*, Company "L," 2d Cavalry.

CHARGE—"Violation of the 45th Article of War."

Specification—"In this, that he, Private *Edward Johnston*, Company 'L,' 2d Cavalry, having been duly mounted as a member of the post guard, did become so intoxicated as

to be unable to perform his duty. All this at Fort Ellis, M. T., on or about February 20th, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor under charge of the guard for the period of six (6) months."

3d. Private *Louis Lee*, Company "G," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that Private *Louis Lee*, Company "G," 2d Cavalry, did become intoxicated, and did assault and strike with his fist members of Company "G," 2d Cavalry. All this at Fort Ellis, M. T., February 4th, 1871."

Specification II.—"In this, that he, Private *Louis Lee*, Company "G," 2d Cavalry, with a carbine with intent to kill, did assault Private Henry Reardon, Company "G," 2d Cavalry. This at Fort Ellis, M. T., on the 4th day of February, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—"Guilty."

To the 2d *Specification*—"Guilty, except the words, 'with a carbine with intent to kill.'"

To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty, except the words, 'with a carbine with intent to kill.'"

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars of his monthly pay for the period of three (3) months."

4th. Private *John Murta*, Company "G," 2d Cavalry.

CHARGE—"Violation of the 50th Article of War."

Specification.—"In, that Private *John Murta*, Company 'G,' 2d Cavalry, having been duly detailed and mounted as a member of the camp guard of Companies 'G' and 'L,' 2d Cavalry, did, without urgent necessity, quit his guard and remain absent until arrested by the corporal of the guard. This at or near Fort Shaw, M. T., on or about the 9th day of September, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him*," Private *John Murta*, Company "G," 2d Cavalry.

5th. Private *John Donohue*, Company "H," 2d Cavalry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *John Donohue*, Company "H," 2d Cavalry, while on duty as a member of an escort, did become so drunk as to be unable to perform his regular duty, and did behave in a disorderly manner. All this at camp near Beaver Creek on or about the 17th day of September, 1870."

Specification II.—"In this, that he, Private *John Donohue*, Company "H," 2d Cavalry, while on duty as a member of an escort, did visit Helena, M. T., without permission, and become drunk, and did behave in a disorderly manner. All this at or near Helena, M. T., on or about the 18th day of September, 1870."

CHARGE II.—"Disobedience of orders."

Specification.—"In this, that he, Private *John Donohue*, Company "H," 2d Cavalry, having been duly notified by his superior officer, 1st Lieut. J. G. MacAdams, 2d Cavalry, that he could not visit Helena, M. T., did disobey said order. All this at camp near Helena, M. T., on the 18th day of September, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*, 1st Charge—"Guilty."

To the 2d *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, for the period of twelve (12) months, and to forfeit to the United States twelve (12) dollars per month of his monthly pay for the same period."

6th. Private *William Zent*, Company "G," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *William Zent*, Company "G," 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., June 12th, 1870, and did remain a deserter until apprehended at the Cañon House, M. T., on the 25th day of October, 1870. Thirty dollars paid for his apprehension. All this at the place and on the dates above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *William Zent*, Company "G," 2d Cavalry, did desert the service of the United

States, and did feloniously take, steal and carry away the following articles of ordnance and ordnance stores, the property of the United States: one (1) carbine swivel, one (1) carbine sling, one (1) pair of spurs and straps, one (1) carbine screw-driver, one (1) carbine cartridge-pouch. All this at Fort Ellis, M. T., on or about June 30th, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Guilty, except the date 'June 30th, 1870,' and substituting 'June 12th, 1870.'"

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty, except the date 'June 30th, 1870,' and substituting therefor 'June 12th, 1870.'"

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To make good the time lost by desertion, and to forfeit to the United States all pay and allowances that are due or that may become due him, except the necessary fatigue clothing, and the just dues of the laundress; and to be confined at hard labor under charge of the guard until the expiration of his term of service, wearing a twenty-four (24) pound ball attached to his left leg with a chain four (4) feet long; and at the expiration of his term of service, to be dishonorably discharged: term of service expires June 22d, 1874."

7th. Private *Martin Farrell*, Company "L," 2d Cavalry.

CHARGE I.—"Absence without leave."

Specification.—“ In this, that he, Private *Martin Parrell*, Company ‘L,’ 2d Cavalry, did, without permission from proper authority, leave his quarters on the night of February 6th, 1871, and go to Bozeman, M. T. This at Fort Ellis, M. T., on or about February 6th, 1871.”

CHARGE II.—“ Theft, to the prejudice of good order and military discipline.”

Specification.—“ In this, that he, Private *Martin Parrell*, Company ‘L,’ 2d Cavalry, did feloniously take, steal and carry away from the quarters of Company ‘L,’ 2d Cavalry, one (1) pair of boots belonging to Private John M. Martin, Company ‘L,’ 2d Cavalry, and did dispose of the same in the town of Bozeman, M. T. This at Fort Ellis, M. T., on or about February 6th, 1871.”

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—“ Guilty.”

To the 1st CHARGE—“ Guilty.”

To the *Specification*, 2d Charge—“ Not Guilty.”

To the 2d CHARGE—“ Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“ Guilty ”

Of the 1st CHARGE—“ Guilty.”

Of the *Specification*, 2d Charge—“ Not Guilty.”

Of the 2d CHARGE—“ Not Guilty.”

SENTENCE.

“ To forfeit to the United States ten (10) dollars of his monthly pay for the period of three (3) months.”

8th. Private *Peter Gaynor*, Company "L," 2d Cavalry.

CHARGE I.—"Violation of the 6th Article of War."

Specification I.—"In this, that he, Private *Peter Gaynor*, Company "L," 2d Cavalry, did use the following disrespectful language to Brevet Major Lewis Thompson, officer of the day, viz.: 'You are a God damned son-of-a-bitch,' or words to that effect. This at Fort Ellis, M. T., on the night of the 28th of June, 1870."

Specification II.—"In this, that he, Private *Peter Gaynor*, Company "L," 2d Cavalry, did make an assault upon 2d Lieut. G. C. Doane, 2d Cavalry, and did further use contemptuous and disrespectful language towards him. This at Fort Ellis, M. T., on the night of June 28th, 1870."

CHARGE II.—"Violation of the 9th Article of War."

Specification.—"In this, that he, Private *Peter Gaynor*, Company "L," 2d Cavalry, did make an assault upon 2d Lieut. G. C. Doane, 2d Cavalry, and did further use contemptuous and disrespectful language towards him. This at Fort Ellis, M. T., on the night of June 28th, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*, 1st Charge—"Guilty."

To the 2d *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are or may become due; to be dishonorably discharged the service, and to be confined in the post guard house at Fort Ellis, M. T., at hard labor, for a period of one year, wearing a ball weighing (24) pounds attached to his left leg by a chain four (4) feet long."

9th. Private *John Cochran*, Company "A," 7th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *John Cochran*, Company 'A,' 7th Infantry, having been duly enlisted in the service of the United States, did desert the same, and did remain absent until apprehended at or near Bozeman, M. T., on or about the 18th day of November, 1870. This at Fort Ellis, M. T., on or about November 16th, 1870."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty, except the words, '*did desert the same and*.'"

To the CHARGE—"Not Guilty, but Guilty of 'absence without leave.'"

FINDING.

Of the *Specification*—"Guilty, except the words, '*did desert the same and*.'"

Of the CHARGE—"Not Guilty of desertion, but Guilty of 'absence without leave.'"

SENTENCE.

"To forfeit to the United States ten (10) dollars of his monthly pay for the period of three (3) months."

10th. Corporal *Morris Dooly*, Company "H," 2d Cavalry.

CHARGE.—"Drunk on duty."

Specification.—"In this, that he, *Morris Dooly*, a Corporal of Company "H," 2d Cavalry, having been duly paraded and mounted as a corporal of the post guard at Fort Ellis, M. T., did become so drunk as to be unable to perform his duties. This at Fort Ellis, M. T., on the 3d day of January, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks, and to be confined at hard labor, under charge of the guard, for the period of six (6) months."

11th. Private *Michael Tracy*, Company "G," 2d Cavalry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—“In this, that he, Private *Michael Tracy*, Company ‘G,’ 2d U. S. Cavalry, did resist the authority of Sergeant Robinson Gresham, Company ‘G,’ 2d U. S. Cavalry, he being in the execution of his office.”

Specification II.—“In this, that he, Private *Michael Tracy*, Company ‘G,’ 2d U. S. Cavalry, did wantonly break and destroy a portion of the Company mess furniture. All this at Fort Ellis, M. T., on or about the 19th day of March, 1871.”

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—“Not Guilty.”

To the 2d *Specification*—“Not Guilty.”

To the CHARGE—“Not Guilty.”

FINDING.

Of the 1st *Specification*—“Guilty.”

Of the 2d *Specification*—“Guilty.”

Of the CHARGE—“Guilty.”

SENTENCE.

“To forfeit to the United States ten (10) dollars of his monthly pay for the period of four (4) months.”

12th. Sergeant *William P. Witherow*, Company ‘A,’ 7th Infantry.

CHARGE.—“Violation of the 38th Article of War.”

Specification.—“In this, that he, Sergeant *William P. Witherow*, Company ‘A,’ 7th Infantry, lost, through neglect, one (1) horse, the property of the United States, and for

which Captain D. P. Hancock, 7th Infantry, is responsible. All this at or near the Yellowstone Cañon on the Yellowstone river, on or about February 6th, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty, except the words, '*through neglect.*'"

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the court does therefore "*acquit him.*" Sergeant William P. Witherow, Company "A," 7th Infantry.

13th. Private William Hyde, Company "F," 2d Cavalry.

CHARGE I.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that Private William Hyde, Company 'F,' 2d Cavalry, did feloniously take, steal and carry away from the quarters of 'F' Company, 2d Cavalry, one improved Sharpe's carbine, the property of the United States, of the value of \$50, more or less, and for which 1st Lieut. F. C. Grugan, 2d Cavalry, is responsible. This at Fort Ellis, M. T., on or about the 11th December, 1870."

CHARGE II.—"Violation of the 38th Article of War."

Specification I.—"In this, that Private William Hyde, of Company 'F,' 2d Cavalry, did give or dispose of to a citizen one improved Sharpe's carbine, the property of the United

States, and for which 1st Lieutenant F. C. Grugan, 2d Cavalry, is responsible. All this at Fort Ellis, M. T., on or about the 11th December, 1870."

Specification II.—"In this, that Private *William Hyde*, of Company 'F,' 2d Cavalry, did give or dispose of to a citizen, one blanket, which had been issued to him. All this at Fort Ellis, M. T., on or about the 11th December, 1870."

CHARGE III—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that Private *William Hyde*, of Company 'F,' 2d Cavalry, having been properly detailed as a member of a guard, mounted at Fort Ellis, M. T., on the morning of the 15th December, 1870, and while on duty as a sentinel in charge of prisoners, did allow one or more of said prisoners to enter the sutler's store of R. Lemon, and there deal with the bar-keeper. This at Fort Ellis, M. T., on or about the 15th December, 1870."

Specification II.—"In this, that Private *William Hyde*, of Company 'F,' 2d Cavalry, having been questioned by his company commander, 1st Lieutenant F. C. Grugan, 2d Cavalry, as to what he had done with the carbine which was missing, did answer: 'I have not taken it, and know nothing about it, and can take my sacred oath that I am innocent,' or words to that effect, thereby intending to deceive his Company Commander. This at Fort Ellis, M. T., on or about the 21st day of December, 1870."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the 1st *Specification*, 3d Charge—"Not Guilty."

To the 2d *Specification*, 3d Charge—"Guilty."

To the 3d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

Of the 1st *Specification*, 3d Charge—"Guilty."

Of the 2d *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due or that may become due, excepting the just dues of the laundress; to be dishonorably discharged from the service of the United States, and to be confined in such Penitentiary as the Department Commander may direct, for the period of two (2) years."

II..The proceedings, findings and sentences in the foregoing cases of Privates *John Woodward*, Company "H," 1st Cavalry, *John Donohue* and Corporal *Morris Doody*, Company "H," Privates *Louis Lee*, *William Zent* and *Michael Tracy*, Company "G," *Edward Johnston* and *Martin Farrell*, Company "L," 2d Cavalry, and *John Cochran*, Company "A," 7th Infantry, are approved. The sentences will be duly executed.

The proceedings, findings and acquittals in the foregoing cases of Private *John Murta*, Company "G," 2d Cavalry, and Sergeant *William P. Witherow*, Company "A," 7th Infantry, are approved. Orders have already been issued for their restoration to duty.

In the case of Private *Peter Gaynor*, Company "L," 2d Cavalry, the finding under the 2d *Specification* to the 1st Charge

is disapproved, it not appearing that Lieut. Doane was the commanding officer of the prisoner at the time of the commission of the offence. The findings under the 2d Charge are likewise disapproved for the reason that it is not charged, nor does it appear in evidence, that Lieut. Doane was the prisoner's superior officer "*in the execution of his office.*" As, however, the sentence, upon revision, is sustained by the findings to the 1st Specification of the 1st Charge, and the 1st Charge, it is approved and will be duly executed.

The proceedings, findings and sentence in the foregoing case of Private *William Hyde*, Company "F," 2d Cavalry, are approved. The sentence will be duly executed. The Minnesota State Penitentiary at Stillwater, Minnesota, is designated as the place of confinement.

III..The General Court Martial convened at Fort Ellis, M. T., by virtue of Special Orders No. 32, current series, from these Headquarters, and of which Major E. M. BAKER, 2d Cavalry, is President, is hereby dissolved to take effect upon the completion of any case upon which it may be engaged.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *John McDonald*, Company "G," 7th Infantry.
 2. Private *Joseph A. Widmer*, Company "G," 7th Infantry.
 3. Private *John Harvie*, Company "G," 7th Infantry.
 4. Private *Thomas Williams*, Company "B," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 7, 1871.

GENERAL ORDERS, }
No. 54. }

I. . Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders No. 39, current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried :

1st. Private *John McDonald*, Company "G," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—“In this, that he, Private *John McDonald*, Company "G," 7th Infantry, having been duly enlisted in the service of the United States, did desert said service on or about the 29th day of March, 1871, and did remain absent from his Company and post until apprehended at Cañon Ferry, and brought back by an armed guard sent for his apprehension. This at Camp Baker, Montana Territory.”

CHARGE II.—“ Theft, to the prejudice of good order and military discipline.”

Specification.—“ In this, that he, Private *John McDonald*, Company ‘G,’ 7th Infantry, a duly enlisted soldier of the United States, did feloniously take, steal and carry away the following articles, the property of the United States, viz.: one (1) breech-loading rifled musket, and did retain said musket until it was taken from him by Sergeant *Charles T. Rader*, Company ‘G,’ 7th Infantry, who arrested him. This at or near Camp Baker, M. T., on or about March 29th, 1871.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—“ Not Guilty.”

To the 1st CHARGE—“ Not Guilty.”

To the *Specification*, 2d Charge—“ Not Guilty.”

To the 2d CHARGE—“ Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“ Guilty.”

Of the 1st CHARGE—“ Guilty.”

Of the *Specification*, 2d Charge—“ Guilty.”

Of the 2d CHARGE—“ Guilty.”

SENTENCE.

“ To forfeit all pay and allowances now due or that may become due, except the just dues of the laundress; to be confined in such penitentiary as the Commanding General may designate, until December 29th, 1875, then to be dishonorably discharged from the United States service.”

2d. Private *Joseph A. Widmer*, Company "G," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Joseph A. Widmer*, Company 'G,' 7th Infantry, having been duly enlisted in the service of the United States, did desert said service, and did remain absent from his company and post until arrested by an armed guard sent for his apprehension. This at Camp Baker, Montana Territory, on or about the 29th day of March, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due or that may become due him, except the just dues of the laundress ; to be confined at hard labor in charge of the guard, until June 21st, 1875, wearing a ball and chain weighing twelve (12) pounds, at the end of which time to be dishonorably discharged from and drummed out of the United States service."

3d. Private *John Harrie*, Company "G," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *John Harrie*, Company 'G,' 7th Infantry, having been duly enlisted in the

service of the United States, did desert the said service, and did remain absent from his company and post until brought back by an armed guard sent for his apprehension. This at Camp Baker, Montana Territory, on or about the 29th day of March, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, with the exception of the words, 'did desert the said service and.'"

Of the CHARGE—"Not Guilty, but Guilty of '*absence without leave*.'"

SENTENCE.

"To forfeit ten dollars of his monthly pay for the period of one month."

4th. Private *Thomas Williams*, Company "B," 7th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification I.—"In this, that he, Private *Thomas Williams*, Company 'B,' 7th Infantry, being on extra duty in Q. M. Department, as teamster, and being detailed to drive the mail wagon from Camp Baker, M. T., to Diamond City, M. T., did, at Diamond City, M. T., become intoxicated, to the manifest injury of good order and military discipline. This at Diamond City, M. T., on or about the 14th day of February, 1871."

Specification II.—"In this, that he, Private *Thomas Williams*, Company 'B,' 7th Infantry, being on extra duty in Q. M. Department as teamster, and being detailed to drive the mail wagon from Camp Baker, M. T., to Diamond City, M. T., and back, did become so intoxicated at Diamond City, M. T., as to be unable to drive his team back to Camp Baker, M. T., thereby endangering the safety of the U. S. military mail. This on or about the 13th or 14th day of February, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Thomas Williams*, Company 'B,' 7th Infantry, being on duty in charge of Q. M. team of four (4) mules, and being allowed by William T. Ford to sleep in his store, did feloniously take, steal and carry away a certain lot of cigars, valued at \$10.00 more or less, the property of the aforesaid William T. Ford. This at Diamond City, M. T., on the night between the 13th and 14th of February, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the 1st *Specification*, 1st Charge—"Not Guilty."

To the 2d *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, for the period of three (3) months."

11..The proceedings, findings and sentence in the case of Private *John McDonald*, Company "G," 7th Infantry, are approved. The sentence is modified so that he will be dishonorably discharged the service at the commencement of his term of confinement. As thus modified, the sentence will be duly executed. The Minnesota State Penitentiary, at Stillwater, Minn., is designated as the place of confinement.

The proceedings, findings and sentences in the cases of Privates *Joseph A. Widmer*, *John Harvie*, Company "G," and *Thomas Williams*, Company "B," 7th Infantry, are approved. The sentences will be duly executed. Private *John Harvie* will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *James Cassidy*, Company "E," 20th Infantry.
 2. Private *Michael Wehrle*, Company "E," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 8, 1871.

GENERAL ORDERS }
No. 53. }

I. Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 27, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried :

1st. Private *James Cassidy*, Company "E," 20th Infantry.

CHARGE I.—" Violation of the 44th Article of War."

Specification.—" In this, that he, Private *James Cassidy*, Company 'E,' 20th Infantry, having been duly detailed on fatigue, did absent himself, and did fail to appear at the time and place appointed. This at Fort Snelling, Minn., on or about the 8th day of May, 1871."

CHARGE II.—" Conduct to the prejudice of good order and military discipline."

Specification I.—" In this, that he, Private *James Cassidy*, Company 'E,' 20th Infantry, was drunk and disorderly.

This at Fort Snelling, Minn., on or about the 8th day of May, 1871."

Specification II.—"In this, that he, Private *James Cassidy*, Company 'E,' 20th Infantry, having been ordered by the corporal of the guard (Corporal John Ferguson, Company 'E,' 20th Infantry,) to go to the guard house, did refuse, and did violently resist said Corporal John Ferguson, he the said corporal, being at the time in the proper performance of his duty. This at Fort Snelling, Minn., on or about the 8th day of May, 1871."

Specification III.—"In this, that he, Private *James Cassidy*, Company 'E,' 20th Infantry, did offer violence to and did resist Sergeant Swan Franzen, Company 'E,' 20th Infantry, and did use abusive language to said Sergeant Swan Franzen, to wit: 'you God damned son-of-a-bitch—you God damned bastard,' he the said Sergeant being at the time sergeant of the guard and in the proper performance of his duty. This at Fort Snelling, Minn., on or about the 8th day of May, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 3d *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 3d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit ten dollars of his pay per month for six months, and to be confined at hard labor, with a ball and chain, for the same period—eight (8) days in each of said months the confinement to be solitary and on bread and water."

2d. Private *Michael Wehrle*, Company "E," 20th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *Michael Wehrle*, Company 'E,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 16th day of May, 1871, and did remain absent until on or about the 23d day of May, 1871, when he surrendered himself at Fort Snelling, Minn. This at Fort Snelling, Minn., on the dates above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty, except the words '*did desert*.'"

To the CHARGE—"Not Guilty, but Guilty of '*absence without leave*.'"

FINDING.

Of the *Specification*—"Guilty, except the word '*desert*,' substituting therefor the words '*absent himself from*.'"

Of the CHARGE—"Not Guilty, but Guilty of '*absence without leave*.'"

SENTENCE.

"To forfeit ten dollars of his monthly pay for one month."

II.. The proceedings, findings and sentence in the foregoing case of Private *James Cassidy*, Company "E," 20th Infantry, are approved—the ball not to exceed twelve (12) pounds in weight. The sentence will be duly executed.

The proceedings, findings and sentence in the foregoing case of Private *Michael Wehrle*, Company "E," 20th Infantry, are approved. The sentence will be duly executed. Private *Wehrle* will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *James Blaney*, Company "A," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 9, 1871.

GENERAL ORDERS, }
No. 56. }

I., Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders No. 165, series of 1870, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, was arraigned and tried:

Private *James Blaney*, Company "A," 17th Infantry.

CHARGE I — "Desertion."

Specification.— "In this, that he, Private *James Blaney*, Company 'A,' 17th Infantry, a duly enlisted soldier in the service of the United States, did, without authority, absent himself from and desert said service on the 10th day of January, 1871, and did remain absent therefrom until the 11th January, 1871, when he was arrested and brought back to his post by some Indians. All this at or near Grand River Station, D. T."

CHARGE II.— "Violation of the 42d Article of War."

Specification.—"In this, that he, Private *James Blancy*, Company 'A,' 17th Infantry, did absent himself and lie out of his quarters on the night of the 10th of January, 1871, without leave from proper authority. All this at or near Grand River Station, D. T., on or about the dates above specified."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty, except the words '*and desert*,' and the words '*when he was arrested and brought back to his post by some Indians*,' of these words 'Not Guilty.'"

Of the 1st CHARGE—"Not Guilty, but Guilty of '*absence without leave*.'"

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To forfeit to the United States fifteen dollars (\$15 00) of his monthly pay for one month, and to be confined at hard labor in charge of the guard for the same period."

II..The proceedings, findings and sentence in the foregoing case are approved. The sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 10, 1871.

GENERAL ORDERS, }
No. 57. }

General Orders No. 40, current series, War Department, Adjutant General's Office, directing that discharges from the Army (of military convicts,) "shall in no case be made to take effect until after the period of confinement fixed by the sentence," having been revoked, so much of General Orders Nos. 42, 46 and 47, current series, from these Headquarters, as directs that the discharges of Privates *Orlando J. Trowbridge*, Company "F," 7th Infantry, *William Henry*, Company "I," 7th Infantry, and *Thomas Hall*, Company "H," 2d Cavalry, shall not take effect until the expiration of their terms of confinement, is likewise revoked. These prisoners will, therefore, be at once dishonorably discharged from the military service, in accordance with their sentences. Their respective terms of confinement are not affected by this order, but will take effect from the dates of the orders promulgating the proceedings in their cases.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

First Lieutenant *Constant Williams*, 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 15, 1871.

GENERAL ORDERS, }
No. 59. }

I.. Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders No. 23, current series, from these Headquarters, and of which Captain CHARLES C. RAWN, 7th Infantry, is President, was arraigned and tried:

First Lieutenant *Constant Williams*, 7th Infantry.

CHARGE.—“Conduct to the prejudice of good order and military discipline.”

Specification I.—“In this, that he, First Lieutenant *Constant Williams*, 7th Infantry, did conspire with certain enlisted men, viz.: First Sergeant John O'Connor and Private Thomas Waugh, Company ‘F,’ 7th Infantry, to prepare charges against Lieutenant Colonel C. C. Gilbert, 7th Infantry, and did induce, or endeavor to induce, them to aid him in preparing the same. All this at Fort Buford, D. T., on or about the 19th day of November, 1870.”

Specification II.—"In this, that he, First Lieutenant *Constant Williams*, 7th Infantry, did, without permission of his immediate or other Commanding Officer, and in violation of paragraph 451, Revised Army Regulations, 1863, forward by mail direct to Headquarters Department of Dakota, certain charges and specifications which he had prepared against his commanding officer, Lieutenant Colonel C. C. Gilbert, 7th Infantry. All this at Fort Buford, D. T., on or about the 19th day of November, 1870."

To which CHARGE and *Specifications* the accused pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Not Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the court does therefore "*acquit him*," First Lieutenant *Constant Williams*, 7th Infantry.

11. In coming to a finding without awaiting for a reasonable time the receipt of certain documentary evidence, absolutely required in proof of the 2d specification, the court has defeated the very object for which it was convened. That a reasonable time was not allowed is proved by the fact that the application of the Judge Advocate to Department Headquarters, for the documentary evidence referred to, was answered the day after its receipt, viz.: April 26th, and the answer had not been received at the date of trial. The proper course for the Judge Advocate to have pursued would have been to have asked for a continuance of the case, but his failure to do so, in so many words, does not rid the court of the responsibility of having

proceeded to a finding with unnecessary haste—all the facts being before it. Thus hurriedly to dispose of a case without trying it on its merits is a manifest misconception of the object of a military trial, and has a tendency to defeat the ends of justice, as well as to impair the efficiency of the service.

Upon the evidence before the court the findings are correct, and are confirmed. Lieutenant *Williams* will be released from arrest, and restored to duty.

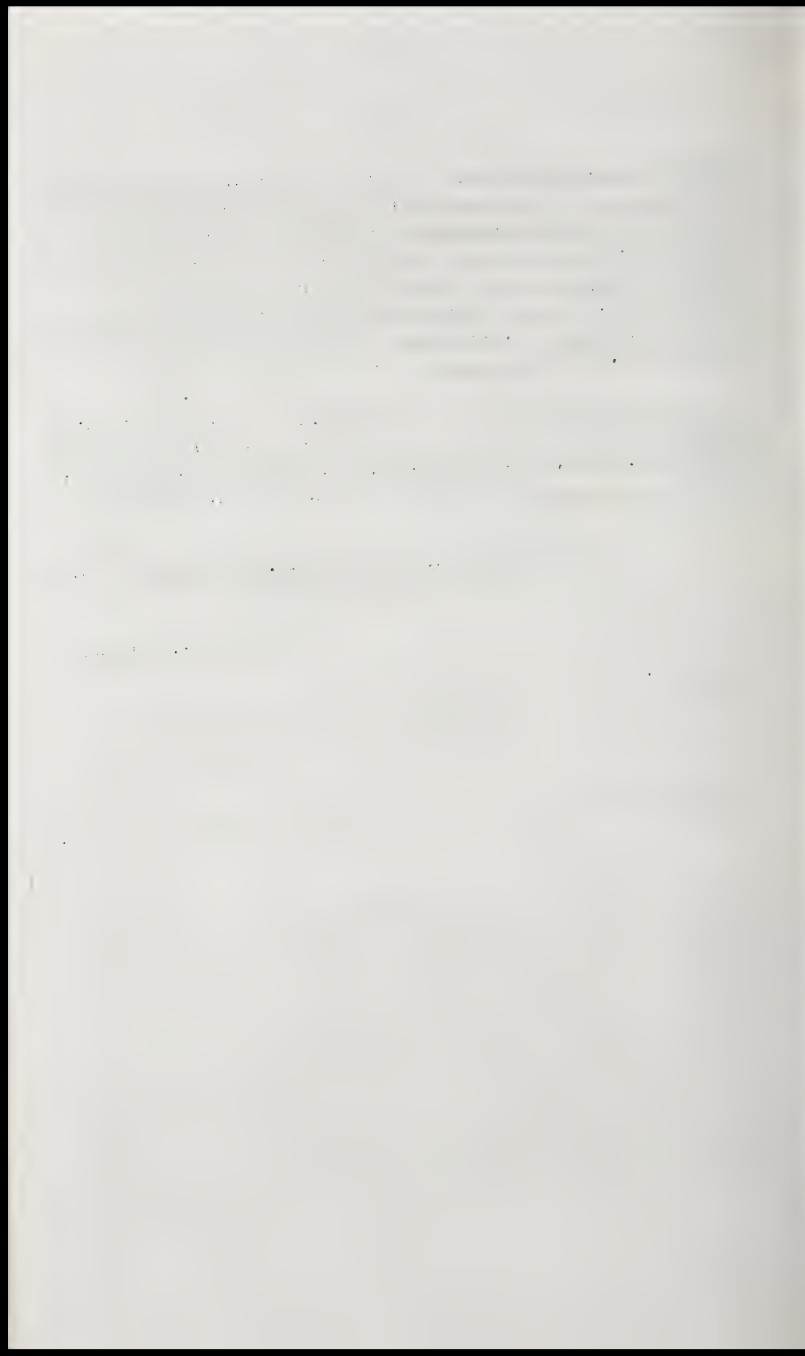
III..The General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 23, current series, from these Headquarters, and of which Captain C. C. RAWN, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Dennis O'Neil*, Company "K," 22d Infantry.
 2. Private *Thomas Brice*, Company "K," 22d Infantry.
 3. Private *William St. Ledger*, Company "K," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 11, 1871.

GENERAL ORDERS, }
No. 58. }

I. . Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, series of 1870, from these Headquarters, and of which Lieut. Colonel ELWELL S. OTIS, 22d Infantry, is President, were arraigned and tried :

1st. Private *Dennis O'Neil*, Company "K," 22d Infantry.

CHARGE I — "Desertion."

Specification.— "In this, that he, Private *Dennis O'Neil*, Company 'K,' 22d U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 26th day of March, 1871, and did remain so absent until apprehended at or near Yankton Agency, D. T., on or about the 31st day of March, 1871. This at the Military Station of Lower Brulé Agency, D. T., on or about the 26th day of March, 1871. Thirty dollars (\$30) reward paid for apprehension."

CHARGE II.—“Larceny, to the prejudice of good order and military discipline.”

Specification —“In this, that he, Private O’Neil, Company ‘K,’ 22d U. S. Infantry, did feloniously take, steal and carry away, with intent to appropriate to his own use and benefit, the following articles of Government property, to wit : one Springfield breech-loading rifled musket, valued at fifty dollars and twenty-six cents, (\$50.26), one haversack, valued at sixty-four cents, (64c), one canteen, valued at forty-three cents, (43c), and forty rounds of ammunition, (metallic cartridges), valued at three cents each—one dollar and twenty cents (\$1.20). All this at or near the Military Station of Lower Brulé Agency, D. T., on or about the night of the 26th of March, 1871.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—“Guilty.”

To the 1st CHARGE—“Guilty.”

To the *Specification*, 2d Charge—“Not Guilty.”

To the 2d CHARGE—“Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“Guilty.”

Of the 1st CHARGE—“Guilty.”

Of the *Specification*, 2d Charge—“Not Guilty.”

Of the 2d CHARGE—“Not Guilty.”

SENTENCE.

“To be confined at hard labor under the charge of the post guard at the post where his company may be serving, for the period of two (2) years, with loss of all pay now due or to grow due, and at the expiration of that time to be dishonorably discharged and drummed out of the United States service.”

2d. Private *Thomas Brice*, Company "K," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—“In this, that he, Private *Thomas Brice*, Company "K," 22d Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 26th day of March, 1871, and did remain so absent until apprehended at or near Yankton Agency, D. T., on or about the 31st day of March, 1871. All this at the Military Station of Lower Brulé Agency, D. T., on or about the 26th day of March, 1871. Thirty dollars (\$30) reward paid for apprehension.”

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—“In this, that he, Private *Thomas Brice*, Company "K," 22d Infantry, did feloniously take, steal and carry away, with intent to appropriate to his own use and benefit, the following articles of Government property, to wit: one Springfield breech-loading rifled musket, valued at fifty dollars and twenty-six cents, (\$50.26), one haversack, valued at sixty-four cents, (64c), one canteen, valued at forty-three cents, (43c), and forty rounds of ammunition, (metallic cartridges), valued at three cents each—one dollar and twenty cents, (\$1.20). All this at or near the Military Station of Lower Brulé Agency, D. T., on or about the night of the 26th day of March, 1871.”

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To be confined at hard labor, under the charge of the post guard, at the post where his company may be serving, for the period of two (2) years, with loss of all pay now due or to grow due, and at the expiration of that time to be dishonorably discharged and drummed out of the United States service."

3d. Private *William St. Ledger*, Company "K," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *William St. Ledger*, Company "K," 22d U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 26th day of March, 1871, and did remain so absent until apprehended at or near Yankton Agency, D. T., on or about the 31st day of March, 1871. This at the Military Station of Lower Brulé Agency, D. T., on or about the 26th day of March, 1871. Thirty dollars (\$30) reward paid for apprehension."

CHARGE II.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *St. Ledger*, Company "K," 22d U. S. Infantry, did feloniously take, steal and carry away, with intent to appropriate to his own use and benefit, the following articles of Government property, to wit: one Springfield breech-loading rifled musket, valued at fifty dollars and twenty-six cents, (\$50.26) one haver-

sack, valued at sixty-four cents, (64c), one canteen, valued at forty-three cents, (43c), and forty rounds of ammunition, (metallic cartridges), valued at three cents each—one dollar and twenty cents, (\$1.20). All this at or near the Military Station of Lower Brulé Agency, D. T., on or about the night of the 26th of March, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—" Guilty."

To the 1st CHARGE—" Guilty."

To the *Specification*, 2d Charge—" Not Guilty."

To the 2d CHARGE—" Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty."

Of the 1st CHARGE—" Guilty."

Of the *Specification*, 2d Charge—" Not Guilty."

Of the 2d CHARGE—" Not Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, at the place where his company may be serving, for the period of two (2) years; to forfeit to the United States all pay now due or which may become due during that period, and at the expiration of the two years confinement to be dishonorably discharged and drummed out of the United States service."

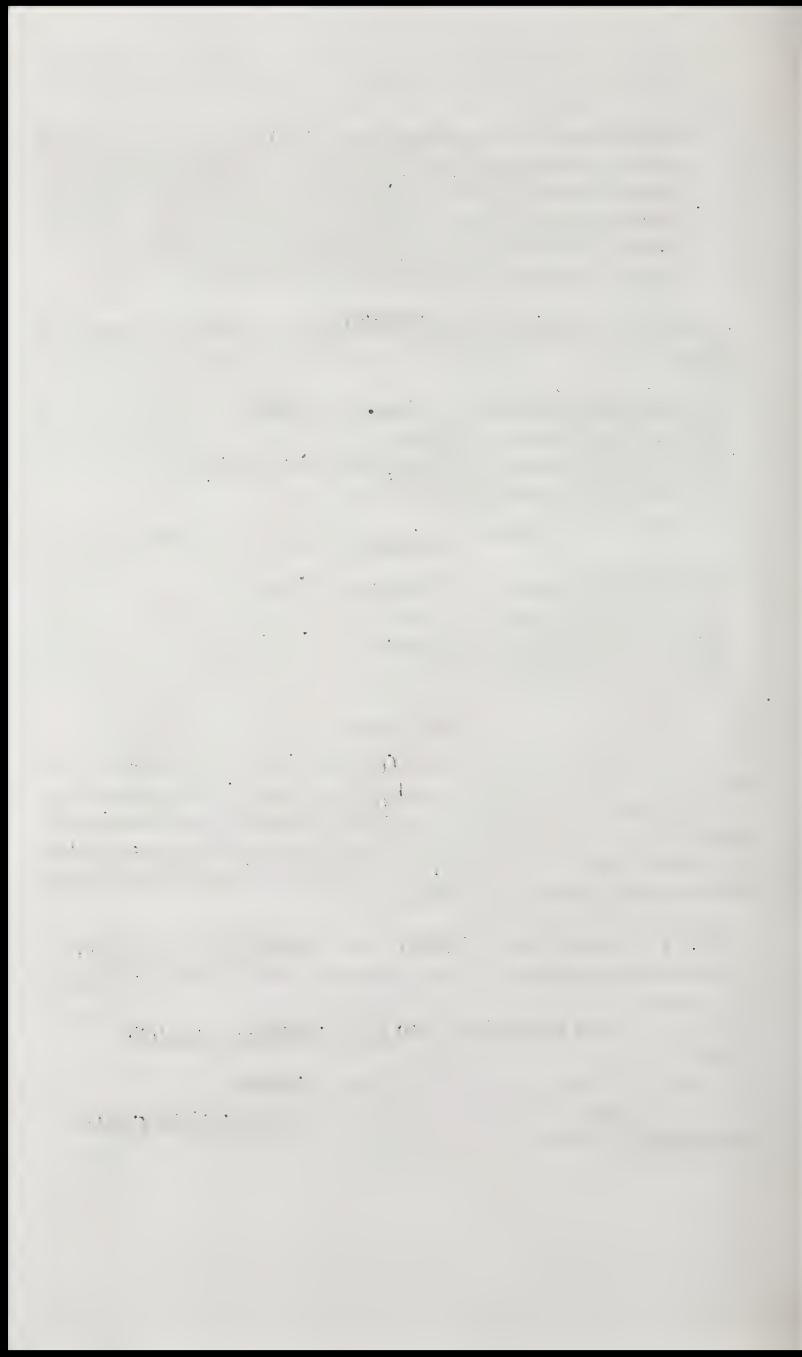
II..The proceedings, findings and sentences in the foregoing cases are approved. The sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :



G. C. M.

Private *Charles Darphy*, Company "D," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 17, 1871.

GENERAL ORDERS, }
No. 60. }

I. . Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders No. 7, current series, from these Headquarters, and of which Captain C. C. RAWX, 7th Infantry, is President, was arraigned and tried :

Private *Charles Darphy*, Company "D," 7th Infantry.

CHARGE.—" Leaving his post in violation of the 46th Article of War."

Specification.—" In this, that he, *Charles Darphy*, a private of Company "D," 7th U. S. Infantry, being a member of the post guard, and having been regularly posted as a sentinel over the two magazines, did, without permission, and without having been regularly relieved, leave his post. This at Fort Buford, D. T., on or about the 13th of December, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."
 To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."
 Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars (\$10) per month of his monthly pay for twelve (12) months, and to be confined at hard labor, under charge of the post guard, for the same period."

11. The proceedings, findings and sentence in the foregoing case are approved, and the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *William James*, Company "E," 7th Infantry.
 2. Private *William Zielke*, Company "E," 7th Infantry.
 3. Private *Henry Horscheller*, Company "E," 7th Infantry.
 4. Private *George L. Rorschack*, Company "E," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 18, 1871.

GENERAL ORDERS,) No. 61.)

I. . Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders No. 39, current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried :

1st. Private *William James*, Company "E," 7th Infantry.

CHARGE—"Violation of the 45th Article of War."

Specification.—"In this, that he, Private *William James*, Company "E," 7th Infantry, having been detailed as a member of the post guard at Fort Benton, M. T., was so much under the influence of intoxicating liquor at the time he was inspected at guard mounting, as to be unable to perform his duties properly. This at Fort Benton, M. T., on or about the 8th day of March, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, for the period of fifteen (15) days."

2d. Private *William Zielke*, Company "E," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *William Zielke*, Company 'E,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Benton, Montana Territory, on or about the 16th day of March, 1871. and did remain absent until apprehended at or near 'Smith's Rancho,' about fifteen miles from Fort Shaw, M. T., on or about the 26th day of March, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *William Zielke*, Company 'E,' 7th Infantry, did feloniously take, steal and carry away, one Springfield breech-loading rifled musket, and twenty rounds of ammunition, property of the United States. This at or near Fort Benton, Montana Territory, on or about the 16th day of March, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—" Guilty."

To the 1st CHARGE—" Guilty."

To the *Specification*, 2d Charge—" Not Guilty."

To the 2d CHARGE—" Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty."

Of the 1st CHARGE—" Guilty."

Of the *Specification*, 2d Charge—" Not Guilty."

Of the 2d CHARGE—" Not Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, for the balance of his term of enlistment, until July 1st, 1875, forfeiting all pay and allowances that are or may become due him, except the just dues of the laundress, and then to be dishonorably discharged from and drummed out of the service of the United States."

3d. Private *Henry Horscheller*, Company 'E,' 7th Infantry.

CHARGE —" Desertion."

Specification.—" In this, that he, Private *Henry Horscheller*,

Company 'E,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Benton, Montana Territory, on or about the 16th day of March, 1871, and did remain absent until apprehended at or near 'Smith's Rancho,' about fifteen miles from Fort Shaw, M. T., on or about the 26th day of March, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, for the balance of his term of enlistment, until July 1st, 1875, forfeiting all pay and allowances that are, or may become due him, except the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service of the United States."

4th. Private *George L. Rorschack*, Company "E." 7th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *George L. Rorschack*, Company 'E.' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Benton, Montana Territory, on or about the 16th day of March, 1871, and did remain absent until apprehended at or near 'Smith's Rancho,' about fifteen miles from Fort Shaw, M. T., on or about the 26th day of March, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, for the balance of his term of enlistment, until the 27th day of July, 1875, forfeiting all pay and allowances that are or may become due him, except the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service of the United States."

II..The proceedings, findings, and sentence in the foregoing case of Private *William James*, Company "E," 7th Infantry, are approved. Upon the recommendation of a majority of the members of the Court, the sentence is remitted. He will be released from confinement and restored to duty.

The proceedings, findings, and sentences in the foregoing cases of Privates *William Zielke*, *Henry Horscheller*, and *George L. Rorschack*, Company "E," 7th Infantry, are approved, and the sentences will be duly executed.

III..The General Court Martial, convened at Fort Shaw, M. T., by virtue of Special Orders No. 39, current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Private *James McDonald*, (unassigned,) 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 19, 1871.

GENERAL ORDERS, }
No. 62. }

I., Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 27, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, was arraigned and tried:

Private *James McDonald*, (unassigned,) 20th Infantry.

CHARGE I.—“Conduct prejudicial to good order and military discipline.”

Specification.—“In this, that he, Private (then Quartermaster Sergeant) *James McDonald*, 20th Infantry, did go to the Government stables and order the hostler, Private William Flynn, of Company ‘E,’ 20th Infantry, to saddle up and give him one of the public horses, saying that the post Quartermaster, Lieut. W. S. McCaskey, R. Q. M., 20th Infantry, had ordered him to St. Paul, Minn., on duty,’ which statement was false and intended to deceive the soldier in charge of the public horses. This at Fort Snelling, Minn., on or about the 4th June, 1871.”

CHARGE II.—‘Desertion.’

Specification.—‘In this, that he, Private (then Quartermaster Sergeant) *James McDonald*, 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Snelling, Minn., on the 4th June, 1871, and did remain absent therefrom until he surrendered himself at the same post on the 13th June, 1871.’

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—“Not Guilty.”

To the 1st CHARGE—“Not Guilty.”

To the *Specification*, 2d Charge—“Not Guilty.”

To the 2d CHARGE—“Not Guilty, but guilty of ‘absence without leave.’”

FINDING.

Of the *Specification*, 1st Charge—“Guilty, except the words ‘saying that the Post Quartermaster, Lieut. W. S. McCaskey, R. Q. M., 20th Infantry, had ordered him to St. Paul, Minn., on duty, which statement was false and intended to deceive the soldier in charge of the public horses.’”

Of the 1st CHARGE—“Guilty.”

Of the *Specification*, 2d Charge—“Guilty, except the word ‘desert,’ substituting therefor the words ‘absent himself from.’”

Of the 2d CHARGE—“Not Guilty, but Guilty of ‘absence without leave.’”

SENTENCE.

“To forfeit ten (10) dollars of his monthly pay per month for three (3) months.”

II.. The proceedings, findings and sentence in the foregoing case are approved, and the sentence will be duly executed. Pri-

vate *McDonald* will be released from confinement and restored to duty.

III..The General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 27, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

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G. C. M.

Captain *John H. Donovan*, 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 21, 1871.

GENERAL ORDERS, }
No. 63. }

I..Before a General Court Martial, which convened at Fort Rice, D. T., by virtue of Special Orders No. 48, current series, from these Headquarters, and of which Major J. N. G. WHISTLER, 22d Infantry, is President, was arraigned and tried :

Captain *John H. Donovan*, 17th Infantry.

CHARGE.—“Conduct unbecoming an officer and a gentleman.”

Specification I.—“In this, that Captain *J. H. Donovan*, 17th U. S. Infantry, did, on the evening of December 5th, 1870, visit the private quarters of 2d Lieutenant Josiah Chance, 17th U. S. Infantry, and in a state of intoxication did, by language, conduct, and insulting manners, insult 2d Lieutenant Josiah Chance, 17th U. S. Infantry, and wife, and the company there present. All this at or near Fort Rice, D. T., and on or about the time above specified.”

Specification II.—“In this, that the said Captain *J. H. Donovan*, 17th U. S. Infantry, did, on the evening of December

5th, 1870, while in the private quarters of 2d Lieutenant Josiah Chance, 17th U. S. Infantry, use boisterous and ungentlemanly language, in the presence of Mrs. Chance, the wife of 2d Lieutenant Josiah Chance, 17th U. S. Infantry, viz.: 'You are all God d——d cowards and God d——d liars,' or words to that effect. All this at or near Fort Rice, D. T., and on or about the time above specified."

Specification III.—In this, that he, the said Captain *J. H. Donovan*, 17th U. S. Infantry, did, while in the private quarters of 2d Lieutenant Josiah Chance, 17th U. S. Infantry, and in the presence of Mrs. Chance, the wife of said Lieutenant Chance, on the evening of December 5th, 1870, conduct himself in such a boisterous and ungentlemanly manner, as to compel the said Lieutenant Chance to order him, the said Captain *Donovan*, to leave his (Lieutenant Chance's) quarters, which the said Captain *Donovan* refused to do, and, when compelled to leave the quarters of the said Lieutenant Chance, the said Captain *J. H. Donovan*, 17th U. S. Infantry, did use the following language, viz.: 'You are all God d——d cowards and God d——d liars,' or words to that effect. This in the presence of the wife of an officer of the army, 2d Lieutenant Josiah Chance, 17th U. S. Infantry, and at or near Fort Rice, D. T., on or about the day above specified."

Specification IV.—"In this, that the said Captain *J. H. Donovan*, 17th U. S. Infantry, did, while in the private quarters of 2d Lieutenant Josiah Chance, 17th U. S. Infantry, on the evening of December 5th, 1870, conduct himself in such a boisterous and ungentlemanly manner, in the presence of Mrs. Chance, the wife of the said Lieutenant Chance, as to produce nervous excitement and illness to the said Mrs. Chance, of a serious character, necessitating the vigilant attention of a medical officer of the post. All this at or near Fort Rice, D. T., and on or about the time above specified."

ADDITIONAL CHARGE.—“Conduct to the prejudice of good order and military discipline.”

Specification.—“That he, Captain *John H. Donovan*, 17th Infantry, being in arrest, and having been allowed the limits of the post, did appear at a hop given by the enlisted men of ‘H’ Company, 17th Infantry, and that while there did become so intoxicated as to fall down in the presence of the Commanding Officer and several other commissioned officers, and the enlisted men there present. All this at or near Fort Rice, D. T., on or about the 23d of December, 1870.”

To which CHARGES and *Specifications* the accused pleaded as follows :

To the 1st *Specification*, the accused pleaded in bar of trial a want of *Specification* as to matter, which plea was sustained.

To the 2d *Specification*—“Not Guilty.”

To the 3d *Specification*—“Not Guilty.”

To the 4th *Specification*—“Not Guilty.”

To the CHARGE—“Not Guilty.”

To the *Specification* of the Additional Charge — “Not Guilty.”

To the ADDITIONAL CHARGE—“Not Guilty.”

FINDING.

Of the 2d *Specification*—“Guilty, except using the words in the presence of Mrs. Chance.”

Of the 3d *Specification*—“Guilty, except the words, ‘compel,’ ‘refuse,’ and ‘in the presence of Mrs. Chance.’”

Of the 4th *Specification*—“Not Guilty.”

Of the CHARGE—“Not Guilty, but guilty of conduct to the prejudice of good order and military discipline.”

Of the *Specification* of the Additional Charge—“Guilty.”

Of the ADDITIONAL CHARGE—“Guilty.”

SENTENCE.

And the Court does therefore sentence him, Captain *J. H. Donovan*, 17th U. S. Infantry, "*To be confined to the limits of the post at which he may be serving, for six months, and to forfeit to the United States fifty dollars (\$50) of his monthly pay, for the same period.*"

II..In the foregoing case the findings under the 2d and 3d Specifications of the 1st Charge, and the 1st Charge, are disapproved, for the reason that the exact words excepted are not set forth, leaving it impossible to determine (so far at least as the 3d Specification is concerned) of what precise portion of it it was the intention of the Court to convict the accused.

The proceedings and the findings under the Additional Charge and its Specification, and the sentence, are approved.

Upon the recommendation to clemency of a majority of the members of the Court, the sentence is mitigated to confinement to the limits of the post at which he may be serving, for three months, and forfeiture of fifty dollars of his monthly pay, for the same period. As thus mitigated, the sentence will be duly executed.

III..The General Court Martial, convened at Fort Rice, D. T., by virtue of Special Orders No. 48, current series, from these Headquarters, and of which Major *J. N. G. Whistler*, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Hospital Steward *Cassius C. Cullen*. U. S. Army.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., July 1, 1871.

GENERAL ORDERS }
No. 64. }

I. . Before a General Court Martial, which convened at Lower Brulé Agency, D. T., by virtue of Special Orders Nos. 42 and 54, current series, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, was arraigned and tried :

Hospital Steward *Cassius C. Cullen*, U. S. Army.

CHARGE I.—“ Drunk on duty.”

Specification.—“ In this, that *Cassius C. Cullen*, Hospital Steward, U. S. A., on duty in post Hospital, Lower Brulé Agency, D. T., did get so drunk as to be unable to perform his duties. All this at the Military Station, Lower Brulé Agency, D. T., on or about January 29, 1871.”

CHARGE II.—“ Conduct to the prejudice of good order and military discipline.”

Specification.—“ In this, that *Cassius C. Cullen*, Hospital Steward, U. S. Army, did give the liquors, (medical) supplies

of the U. S. Army, to the sick in hospital, in such quantities as to get them drunk, and to the enlisted men of the command freely, without their being sick or requiring it as medicine, to wit: on the 26th and 27th days of January, 1871, a list is hereto attached; that he has had in his quarters in the hospital one John Kilillay, the Agency Trader, and one Joseph Kurley or Kirley, a citizen in the employ of John Kilillay, the Agency Trader, and furnished them liquor, being the medical supplies of the U. S. Army, on three different times between the 19th day and the 29th day of January, 1871, and allow them to remain until a late hour of the night, to the prejudice of the service. All this at the Military Station, Lower Brulé Agency, D. T., on or about the 29th day of January, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty, excepting the words as follows, viz.: 'Medical Supplies of the U. S. Army, to the sick in hospital in such quantities as to get them drunk,' and 'one Joseph Kurley or Kirley, a citizen in the employ of John Kilillay, the Agency Trader.' 'then on three different times between the 19th day and the 29th day of January, 1871, and allow them to remain until a late hour of the night, to the prejudice of the service.'"

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined to the limits of the post at which he is on

duty, for the period of four (4) months, and to be deprived of his monthly pay as Hospital Steward, for the same period."

II.. The proceedings, findings and sentence in the foregoing case are approved, and the sentence will be duly executed.

III.. The General Court Martial convened at Lower Brulé Agency, D. T., by virtue of Special Orders Nos. 42 and 54, current series, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Eugene Withey*, Company "F," 20th Infantry.
 2. Private *Charles W. Foster*, Company "D," 20th Inf'try.
 3. Private *John Cain*, Company "D," 20th Infantry.
 4. Corporal *Joseph Hamm*, Company "D," 20th Infantry.
 5. Private *Michael Hinchey*, Company "D," 20th Infantry.
 6. Private *Edward Kuhlthau*, Company "D," 20th Infantry.
 7. Private *Hermann Kipke*, Company "D," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 10, 1871.

GENERAL ORDERS, }
No. 65. }

1. Before a General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 91, current series, from these Headquarters, and of which Lieut. Colonel L. C. HUNT, 20th Infantry, is President, were arraigned and tried :

1st. Private *Eugene Withey*, Company "F," 20th Infantry.

CHARGE 1.—"Desertion."

Specification.—In this, that he, Private *Eugene Withey*, "F" Company, 20th U. S. Infantry, an enlisted soldier in the service of the United States, did desert the said service from Fort Wadsworth, D. T., on or about the 4th day of

April, 1871, and remain absent from said service until apprehended at the store of Mireau & Roberts, near the south end of Big Stone Lake, Dakota Territory, on the 11th day of April, 1871. Thirty dollars (\$30) paid for his apprehension. All this at or near the places and on or about the dates above specified."

CHARGE II.—"Insubordinate conduct, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Eugene Withcy*, 'F' Company, 20th U. S. Infantry, when ordered by 1st Sergeant *Sala Kahn*, Company 'F,' 20th U. S. Infantry, who was in charge of a party sent out to search for deserters, did refuse to surrender after having been ordered so to do, and did resist the authority of the said 1st Sergeant *Kahn*, and did discharge a loaded revolver at the said 1st Sergeant *Kahn*, he, the said 1st Sergeant *Kahn* being then and there in the proper discharge of his duties as a commandant of a party sent out to search for deserters. All this at or near the store of Mireau & Roberts, near the south end of Big Stone Lake, Dakota Territory, on or about the 8th day of April, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or which may become due, except the just dues of the laundry; to be confined at hard labor, at such place as the Commanding General of the Department may direct, for the period of seven (7) years, wearing a ball weighing twenty-four (24) lbs. attached to his left leg by a chain four (4) feet long, and then to be dishonorably discharged the service of the United States."

2d. Private *Charles W. Foster*, Company "D," 20th Infantry.

CHARGE I.—"Sleeping on post."

Specification.—"In this, that he, Private *Charles W. Foster*, Company "D," 20th Infantry, a duly enlisted soldier in the service of the United States, having been regularly mounted as a member of the post guard at Fort Abercrombie, D. T., and duly posted as a sentinel in charge of John Schmidt, a prisoner undergoing sentence of a General Court Martial, did go to sleep, and did remain in such condition until awakened by Lieut. Col. L. C. Hunt, 20th Infantry. All this at Fort Abercrombie, D. T., between the hours of one and two o'clock p. m., on or about the fourth day of May, 1871."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Charles W. Foster*, Company "D," 20th Infantry, having been duly mounted as a member of the post guard at Fort Abercrombie, D. T., and having been duly posted as a sentinel in charge of John Schmidt, a prisoner undergoing sentence of a General Court Martial, did willfully neglect his duty as a sen-

tinel, and did permit said prisoner, *i. e.*, John Schmidt, to escape from his custody. All this at Fort Abercrombie, D. T., between the hours of one and two o'clock P. M., on or about the fourth day of May, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty, except the word 'willfully.'"

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the laundress, and then to be dishonorably discharged the service of the United States."

3d. Private *John Cain*, Company "D," 20th Infantry.

CHARGE.—"Violation of the 6th Article of War."

Specification.—"In this, that he, Private *John Cain*, Company 'D,' 20th Infantry, a prisoner 'at hard labor,' undergoing the sentence of a General Court Martial, while at work, did become drunk at 'recall'; did appear in front of the Officer of the Day, near the guard house, and commenced to

dance and sing in his presence, and did otherwise behave himself in a highly disrespectful and contemptuous manner towards his commanding officer, 1st Lieut. W. R. Maize, 20th U. S. Infantry, Officer of the Day, in words to wit: 'I want to be tied up.' All this at or near the post guard house at Fort Abercrombie, D. T., and on or about the hour of 11½ o'clock A. M., on the 2d day of May, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars per month of his monthly pay for the period of three months, and to be confined at hard labor, under charge of a guard, for the same period."

4th. Corporal *Joseph Hamm*, Company "D," 20th Infantry.

CHARGE—"Violation of the 9th Article of War."

Specification.—"In this, that he, Corporal *Joseph Hamm*, Company 'D,' 20th Infantry, having been placed in charge of a squad of prisoners working at the ice house of the post, and having been ordered by his superior officer, 2d Lieut. J. A. Yeckley, 20th Infantry, Officer of the Day, in the execution of his office, through Sergeant George Thompson, Company 'D,' 20th Infantry, not to bring in the pris-

oners at re-call from fatigue, did disobey said order. This at Fort Abererombie, D. T., on or about the 3d day of April, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks, and to forfeit to the United States ten (10) dollars of his monthly pay for the period of one (1) month."

5th. Private *Michael Hinchey*, Company "D," 20th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this, that he, Private *Michael Hinchey*, Company "D," 20th Infantry, a duly enlisted soldier in the U. S. service, having been regularly mounted as a member of the post guard, and posted as a sentinel over prisoners, did become so drunk as to be totally unfit for the proper performance of any military duty. All this at Fort Abererombie, D. T., on or about the 2d day of May, 1871."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—“In this, that he Private *Michael Hinchey*, Company ‘D,’ 20th Infantry, having been regularly mounted as a member of the post guard, and posted as a sentinel over prisoners, did permit two of said prisoners to become drunk, boisterous and disorderly. All this at Fort Abercrombie, D. T., on or about the 2d day of May, 1871.”

CHARGE III.—“Violation of the 9th Article of War.”

Specification I.—“In this, that he, Private *Michael Hinchey*, Company ‘D,’ 20th Infantry, having been regularly mounted as a member of the post guard, did become drunk and disorderly, and when raising a noise and disturbance in the post guard house, and when repeatedly ordered by his superior officer, 1st Lieutenant W. R. Maize, 20th Infantry, Officer of the Day, ‘to keep quiet and remain in his cell,’ did refuse to obey said order, and did reply in disrespectful language to 1st Lieut. W. R. Maize, 20th Infantry, Officer of the Day—he being at the time in the execution of his office. All this at the post guard house at Fort Abercrombie, D. T., on or about the 2d day of May, 1871.”

Specification II.—“In this, that he, Private *Michael Hinchey*, Company ‘D,’ 20th Infantry, when drunk, noisy and riotous, did, when the Officer of the Day and members of the guard were attempting to overpower prisoner Hanes, (Company ‘D,’ 20th Infantry,) resist the guard and offer violence to the Officer of the Day, 1st Lieut. W. R. Maize, 20th Infantry, his superior officer, and in the execution of his office, by clutching at his throat and striking at him. All this in the cell of the post guard house at Fort Abercrombie, D. T., and on or about the 2d day of May, 1871.”

CHARGE IV.—“Violation of the 6th Article of War.”

Specification.—“In this, that he, Private *Michael Hinchey*, Company ‘D,’ 20th Infantry, having been mounted as a member of the post guard, and having become drunk, riot-

ous and insubordinate, did, when the Officer of the Day was attempting to secure him, behave himself towards his commanding officer, 1st Lieut. W. R. Maize, 20th Infantry, in a highly contemptuous and disrespectful manner, in words to wit: 'Go away from me, Maize, you are not gentleman enough to talk to me,' or words to that effect. All this in the guard-room of the post guard house at Fort Abercrombie, D. T., on or about the 2d day of May, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."
 To the 1st CHARGE—"Guilty."
 To the *Specification*, 2d Charge—"Not Guilty."
 To the 2d CHARGE—"Not Guilty."
 To the 1st *Specification*, 3d Charge—"Not Guilty."
 To the 2d *Specification*, 3d Charge—"Not Guilty."
 To the 3d CHARGE—"Not Guilty."
 To the *Specification*, 4th Charge—"Not Guilty."
 To the 4th CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."
 Of the 1st CHARGE—"Guilty."
 Of the *Specification*, 2d Charge—"Guilty."
 Of the 2d CHARGE—"Guilty."
 Of the 1st *Specification*, 3d Charge—"Guilty."
 Of the 2d *Specification*, 3d Charge—"Guilty."
 Of the 3d CHARGE—"Guilty."
 Of the *Specification*, 4th Charge—"Guilty."
 Of the 4th CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the

laundress : to be confined at hard labor at such place as the reviewing authority may direct, for the remainder of his term of enlistment, viz. : September 10, 1874, wearing a ball weighing not less than twenty-four (24) lbs. attached to his left leg by a chain three feet in length, and at the expiration of his period of confinement to be dishonorably discharged the service of the United States."

6th Private *Edward Kuhltham*, Company "D," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, private *Edward Kuhltham*, Company "D," 20th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service at Fort Abercrombie, D. T., on or about 2 o'clock p. m., May 17th, 1871, and did remain so absent until arrested about eight miles from Fort Abercrombie, D. T., in the State of Minnesota, about 9 o'clock p. m., May 17th, 1871. All this at or near Fort Abercrombie, D. T., and on or about the time specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty, except the words, 'and desert.'"

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the

laundress ; to be confined at hard labor, wearing a ball weighing twelve (12) pounds attached to his left leg by a chain four (4) feet long, at such place as the reviewing authority may direct, for the period of three (3) years, and then to be dishonorably discharged the service of the United States."

7th. Private *Hermann Kipke*, Company "D," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Hermann Kipke*, Company "D," 20th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service at Fort Abercrombie, D. T., on or about 2 o'clock p. m., May 17th, 1871, and did remain so absent until arrested about nine miles from Fort Abercrombie, D. T., in the State of Minnesota, about 9½ o'clock p. m., May 17th, 1871. All this at or near Fort Abercrombie, D. T., and on or about the time specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the laundress ; to be confined at hard labor, wearing a ball weighing twelve (12) pounds attached to his left leg by a chain four (4) feet long, at such place as the reviewing authority may direct, for

the period of three (3) years, and then to be dishonorably discharged the service of the United States."

II..The proceedings, findings and sentences in the foregoing cases of Privates *Eugene Withey*, Company "F," *Michael Hinchev*, *Edward Kuhlthan* and *Hermann Kipke*, Company "D," 20th Infantry, are approved. The sentences will be duly carried into execution. Fort Abercrombie, D. T., is designated as the place of confinement. In the case of Private *Michael Hinchev* the ball will not exceed 24 lbs. in weight.

In the case of Private *Charles W. Foster* the proceedings and findings are approved. The sentence is confirmed and will be duly executed, although it would have been better to have made the prisoner a subject of discipline in the service.

The proceedings, findings and sentences in the foregoing cases of Private *John Cain* and Corporal *Joseph Hamm*, Company "D," 20th Infantry, are approved, and the sentences will be duly executed.

III..The General Court Martial which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 91, current series, from these Headquarters, and of which Lieut. Colonel L. C. HUNT, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *James Sinclair*, Company "E," 22d Infantry.
 2. Private *John Murphy*, Company "E," 22d Infantry.
 3. Private *Samuel A. Kennedy*, Company "F," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 18, 1871.

GENERAL ORDERS }
No. 66. }

1. Before a General Court Martial, which convened at Fort Sully, D. T., by virtue of Special Orders No. 165, series of 1870, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, were arraigned and tried:

1st. Private *James Sinclair*, Company "E," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *James Sinclair*, (then Sergeant,) Company 'E,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service while in confinement at Fort Sully, D. T., awaiting sentence of General Court Martial, for desertion, on or about the night of February 20th, 1871, and did remain absent until apprehended at or near Chappell Creek, D. T., on or about the 27th day of February, 1871.

Thirty dollars (\$30) reward being paid for his apprehension. All this at or near Fort Sully, D. T., on or about the 20th day of February, 1871."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due him; to be dishonorably discharged the service of the United States, and to be confined at the Dry Tortugas, or such other military prison as the Commanding General shall designate, for the period of five (5) years."

2d. Private *John Murphy*, Company "E," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *John Murphy*, Company "E," 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service while in confinement at Fort Sully, D. T., awaiting sentence of General Court Martial for desertion, on or about the 20th day of February, 1871, and did remain absent until apprehended at or near Crow Creek Agency, D. T., on or about the 1st day of March, 1871. Thirty dollars (\$30) reward being paid for his apprehension. All this at or near Fort Sully, D. T., on or about the 20th day of February, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due him; to be dishonorably discharged the service of the United States, and to be confined at the Dry Tortugas, or such other military prison as the Commanding General shall designate, for the period of five (5) years."

3d. Private *Samuel A. Kennedy*, Company "F," 22d Infantry.

CHARGE.—"Abandoning his post in violation of the 46th Article of War."

Specification.—"In this, that he, Private *Samuel A. Kennedy*, Company "F," 22d Infantry, having been regularly detailed for guard, and mounted as such, on the 17th day of April, 1871, and having been placed in charge of one wagon load of goods by Corporal Patrick Duffy, Company "E," 22d Infantry, (corporal of the guard,) said wagon supposed to contain among other things five (5) barrels of whisky and one (1) cask of bottled ale, with instructions not to leave said goods until they were delivered to Geo. H. Durfee, Esq, or allow any person to tamper with the same, did leave his post before he was regularly relieved, and did remain absent until arrested by Captain C. J.

Dickey, 22d Infantry, Officer of the Day. All this at Fort Sully, D. T., on or about the 17th day of April, 1871."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States twelve (12) dollars per month of his monthly pay for two (2) months."

II..The proceedings, findings and sentences in the foregoing cases of Privates *James Sinclair* and *John Murphy*, Company "E," 22d Infantry, are approved, and the sentences will be duly executed. Fort Sully, D. T., is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *Samuel A. Kennedy*, Company "F," 22d Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

III..The General Court Martial, convened at Fort Sully, D. T., by virtue of Special Orders No. 165, series of 1870, from these Headquarters, and of which Colonel DAVID S. STANLEY, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *William Reid*, Company "H," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 31, 1871.

GENERAL ORDERS }
No. 67. }

I..Before a General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 91, current series, from these Headquarters, and of which Lieut. Col. L. C. HUNT, 20th Infantry, is President, was arraigned and tried :

Private *William Reid*, Company "H," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *William Reid*, Company 'H,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert from said service at Fort Totten, D. T., on or about the 12th day of May, 1871, and remain absent therefrom until apprehended at or near Fort Abercrombie, D. T., on or about the 17th day of May, 1871. All this at or near Fort Totten, D. T., on or about the day and date above written."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, wearing a ball weighing not less than twenty-four (24) pounds, attached to his left leg by a chain four (4) feet in length, at such place as the reviewing authority may direct, for the period of three (3) years."

II.. The proceedings, findings and sentence in the foregoing case, are approved, but, the court having been dissolved prior to the date of trial, the sentence is remitted. The prisoner will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., Aug. 1, 1871.

GENERAL ORDERS, }
No. 68. }

In accordance with authority from the War Department, Adjutant General's Office, Major *W. H. Lewis*, 7th Infantry, is hereby announced as Acting Assistant Inspector General of the Department.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

(OFFICIAL :

Assistant Adjutant General
O. D. GREENE,

BY COMMAND OF MAJOR GENERAL HANCOCK

as Acting Assistant Inspector General of the Department.
General's Office, April 11, 1871. is hereby announced
in accordance with an order from the War Department, Adjutant

GENERAL ORDER,
No. 88.

PLATONALITY OF MAJOR

April 11, 1871.

G. C. M.

1. Private *James Armstrong*, Company "C," 20th Infantry.
 2. Private *George White*, Company "A," 20th Infantry.
 3. Private *John H. White*, Company "C," 20th Infantry.
 4. Indian Scout *Tatayulamance*, alias *Washington*, U. S. A.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 4, 1871.

GENERAL ORDERS, {
No. 69. }

I. . Before a General Court Martial, which convened at Fort Totten, D. T., by virtue of Special Orders No. 128, current series, from these Headquarters, and of which Major J. E. YARD, 20th Infantry, is President, were arraigned and tried:

1st. Private *James Armstrong*, Company "C," 20th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *James Armstrong*, Company 'C,' 20th Infantry, a member of the post guard at Fort Ransom, D. T., regularly detailed and mounted, having been placed in charge of said guard by Corporal Franz Groll, Company 'C,' 20th Infantry, the non-commissioned officer duly in charge of the same, during said Groll's momentary absence, did, either by connivance or

gross neglect, permit the prisoner, Private John H. White, Company 'C,' 20th Infantry, to pass out of the guard house and make his escape in the darkness of the night. All this at Fort Ransom, D. T., on or about March 12th, 1871, between retreat and tattoo."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him,*" Private *James Armstrong*, Company "C," 20th Infantry.

2d. Private *George White*, Company "A," 20th Infantry.

CHARGE.—"Stealing, and wrongfully and knowingly selling, conveying, and disposing of ordnance, property of the United States, in violation of an Act of Congress, entitled 'An act to prevent and punish frauds upon the Government of the United States,' approved March 2d, 1863."

Specification.—"In this, that he, Private *George White*, Company 'A,' 20th Infantry, did feloniously take, steal and carry away from the quarters of Company 'A,' 20th Infantry, and wrongfully and knowingly sell, convey and dispose of one Springfield breech-loading musket, calibre 50, the property of the United States, of the value of sixteen dollars and twenty-seven cents, (\$16.27) more or less, to one ——— Crayon, mail carrier, for the sum of ten dollars (\$10.00) more or less. This at Fort Totten, D. T., on or about the 5th day of December, 1870."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are or may become due, and to be confined at such military prison as the proper authority may direct, for the period of one (1) year, and then be dishonorably discharged the service of the United States."

3d. Private *John H. White*, Company "C," 20th Infantry.

CHARGE I.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John H. White*, Company "C," 20th Infantry, did feloniously steal, take and carry away from the person of Private George Dechend, Company "C," 20th Infantry, a sum of money, to wit : one dollar and fifteen cents (\$1.15) more or less, the property of the said Private George Dechend. This at Fort Ransom, D. T., on or about the 28th day of January, 1871."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John H. White*, Company "C," 20th Infantry, did, on or about the 28th day of

January, 1871, confess the larceny of a sum of money, to wit: one dollar and fifteen cents (\$1.15) more or less, from the person of Private George Dechend, Company 'C,' 20th Infantry, and did subsequently, to wit: on or about the 28th day of January, 1871, deny the same, saying that he 'had found it outside of the guard-house, and did not know to whom it belonged,' or words to that effect, which said latter statement was false. All this at Fort Ransom, D. T."

CHARGE III.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John H. White*, Company 'C,' 20th Infantry, did feloniously take, steal and carry away the following named property of the United States, viz.: two (2) revolving pistols. All this at Fort Ransom, D. T., on or about the 15th day of February, 1871."

CHARGE IV.—"Desertion."

Specification.—"In this, that he, the said Private *John H. White*, Company 'C,' 20th Infantry, did, March 12th, 1871, escape from the guard-house of Fort Ransom, D. T., where he was confined awaiting trial, and not under sentence, and this with the intention of abandoning the service, and did remain absent until captured and brought back, March 15th, 1871. Thirty dollars (\$30) having been paid for his apprehension. All this at Fort Ransom, D. T., on or about March 12th, 1871."

CHARGE V.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, the said Private *John H. White*, Company 'C,' 20th Infantry, did feloniously take, steal and carry away one (1) horse from the stables of Frank

C. Myrick, agent for the post trader of Fort Ransom, D. T. All this at Fort Ransom, D. T., on or about March 12th, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty, except the words 'had found it outside of the guard-house, and did not know to whom it belonged.'"

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Guilty."

To the 3d CHARGE—"Guilty."

To the *Specification*, 4th Charge—"Guilty."

To the 4th CHARGE—"Guilty."

To the *Specification*, 5th Charge—"Not Guilty."

To the 5th CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Not Guilty."

Of the 1st CHARGE—"Not Guilty."

Of the *Specification*, 2d Charge—"Not Guilty, except the words 'had found it outside of the guard-house, and did not know to whom it belonged.'"

Of the 2d CHARGE—"Not Guilty."

Of the 1st *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

Of the *Specification*, 4th Charge—"Guilty."

Of the 4th CHARGE—"Guilty."

Of the *Specification*, 5th Charge—"Not Guilty."

Of the 5th CHARGE—"Not Guilty."

SENTENCE.

"To reimburse the United States for all expenses incurred in his apprehension, and to forfeit to the United States all pay and

allowances that are now or that may become due, except the just dues of the laundress : to be confined at hard labor, in charge of the guard, at such place as the Commanding General may direct, for the balance of the term of his enlistment, wearing a ball weighing twelve (12) pounds attached to his leg by a chain four (4) feet long ; and at the expiration of his confinement to be dishonorably discharged the service of the United States."

4th. *Tatayphamance*, alias *Washington*, Indian Scout, U. S. A.

CHARGE I.—" Violation of the 45th Article of War."

Specification.—"*In this, that he, Tatayphamance, alias Washington, an enlisted man in the service of the United States, having been, by competent authority, placed in charge of the United States mail from Fort Abercrombie, D. T., to Fort Ransom, D. T., did get drunk. This at or near Fort Abercrombie, D. T., on or about the 25th day of March, 1871."*

CHARGE II.—" Neglect of duty, to the prejudice of good order and military discipline."

Specification I.—"*In this, that he, Indian Scout Tatayphamance, alias Washington, an enlisted man in the service of the United States, did fail to take proper care of the mail team entrusted to his charge by competent authority, and upon arriving at 'Peter Van's,' en route between Forts Abercrombie and Ransom, D. T., did, being under the influence of intoxicating liquor, neglect to water the animals of said team, and did attempt to reach Cold Springs, a distance of fifteen (15) miles more or less, said animals being then unfit to travel, without giving said animals water or proper rest. This at or near 'Peter Van's' ranche, between Forts Abercrombie and Ransom, D. T., on or about the 25th day of March, 1871."*

Specification II.—"In this, that he, Indian Scout *Tatayuhamance*, alias *Washington*, an enlisted man in the service of the United States, having been, by competent authority, placed in charge of the United States mail team, between Forts Abercrombie and Ransom, D. T., did, being under the influence of intoxicating liquor, drive said team until one of the horses dropped in the road through exhaustion, and did leave said horse on the prairie all night. This between 'Peter Van's' and Cold Springs, on the Abercrombie and Ransom road, D. T., on or about the 25th day of March, 1871."

CHARGE III—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this, that he, Indian Scout *Tatayuhamance*, alias *Washington*, an enlisted man in the service of the United States, did bring whisky or other intoxicating liquor to the post of Fort Ransom, D. T., in violation of the orders and regulations of said post. This at Fort Ransom, D. T., on or about the 26th day of March, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty, except the words 'did leave the horse on the prairie all night.'"

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Not Guilty."

Of the 1st CHARGE—"Not Guilty."

Of the 1st *Specification*, 2d Charge—"Not Guilty."

Of the 2d *Specification*, 2d Charge—"Not Guilty, except the words 'did leave the horse on the prairie all night,' but attach no criminality thereto."

Of the 2d CHARGE—"Not Guilty."

Of the *Specification*, 3d Charge—"Not Guilty."

Of the 3d CHARGE—"Not Guilty."

And the Court does therefore "*acquit him*," *Tataynuhamanee*, alias *Washington*, Indian Scout, U. S. A.

II. The proceedings, findings and acquittals in the foregoing cases of Private *James Armstrong*, Company "C," 20th Infantry, and Indian Scout *Tataynuhamanee*, alias *Washington*, are approved. Orders have already been issued releasing them from confinement and restoring them to duty.

The proceedings, findings and sentences in the foregoing cases of Privates *George White*, Company "A," and *John H. White*, Company "C," 20th Infantry, are approved, and the sentences will be duly executed. Fort Totten, D. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

G. C. M.

Second Lieutenant *Edwin Turnock*, 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 8, 1871.

GENERAL ORDERS, {
No. 70. }

I. . Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 61, current series, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, was arraigned and tried :

Second Lieutenant *Edwin Turnock*, 20th Infantry.

CHARGE.—“ Disobedience of orders, in violation of the ninth Article of War.”

Specification —“ In this, that he, 2d Lieutenant *Edwin Turnock*, 20th Infantry, while on duty in charge of an escort for the protection of a surveying party of the Northern Pacific Railroad Company, from Fort Ransom, D. T., to a point near Fort Rice, D. T., on the Missouri river, in pursuance of the following order, viz. :

‘ Headquarters Post of Fort Wadsworth, {
Fort Wadsworth, D. T., April 10, 1871. }

‘ Special Orders {
No. 14. }

‘ In compliance with paragraph 2, of Special Orders No. 67, Headquarters, Department of Dakota, dated St. Paul, Minn., April 2,

1871, 2d Lieutenant *Edwin Turnock*, 20th Infantry, with ten (10) enlisted men from Companies 'B' and 'F,' 20th Infantry, and ten (10) Indian Scouts, (mounted,) will proceed, without delay, to Fort Ransom, D. T., for duty in escorting a surveying party of the Northern Pacific Railroad from the vicinity of that post to the Missouri river and return. Lieut. *Turnock* will receive further instructions from Department Headquarters at Fort Ransom, D. T.

'By command of Capt. J. C. BATES.

(Signed.) 'EDWIN TURNOCK,
2d Lieut. 20th Infantry, Post Adjutant.'

did leave said surveying party, with his whole escort, without proper authority and against the wishes of the Chief Engineer in charge of said surveying party, and in violation of the instructions contained in the foregoing order of his superior and commanding officer, Captain J. C. Bates, 20th Infantry. All this at or near the head of Apple Creek, about 30 miles from Fort Rice, D. T., on or about the 27th day of May, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty, except the words, 'without proper authority and,' and the words, 'and in violation of the instructions contained in the foregoing order of his superior and commanding officer, Captain J. C. Bates, 20th Infantry,' and to the excepted words, 'Not Guilty.'"

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, except the words, '*without proper authority and,*' and the words, '*and in violation of the instructions contained in the foregoing order of his superior and commanding officer, Captain J. C. Bates, 20th Infantry,*' and of the excepted words, 'Not Guilty.'"

Of the CHARGE—"Not Guilty."

And the court does therefore "*acquit him*," 2d Lieutenant *Edwin Turnock*, 20th Infantry.

II. . Whilst confirming the proceedings in this case, the Major General Commanding deems it proper to make known that he does not concur with the court in the conclusions at which it has arrived, and which are expressed in the findings. These conclusions appear to be based upon a *mis-construction* of paragraph 2, Special Orders No. 67, current series, from these Headquarters, which Lieutenant *Turnock* received as part of his instructions. Were this order susceptible of different interpretations, ~~it~~ would manifestly have been the duty of Lieut. *Turnock* to have asked for further instructions before abandoning—against the wishes of its Chief Engineer—the surveying party, for the safety of which the escort was detailed.

The probable length of absence of the escort, as mentioned in the order, and the fact that it is particularly stated that "any *additional* escort * * * * required for Mr. *Thomes*' party while *en route* between points situated on the Missouri river," would be supplied by Post Commanders on that river, are in themselves two points which distinctly indicate the intent of the order, and which as distinctly conflict with the interpretation which Lieutenant *Turnock* claims to have placed upon it.

When the accused pleaded to the facts as alleged in the specification, and based his defence for his action upon what he considered to be an ambiguity of phraseology in his orders, the prosecution should have—in the opinion of the reviewing officer—called as a witness the Chief Engineer of the surveying party, Mr. *Thomes*, to show that he remonstrated against the interpretation placed upon his orders by the accused. Had the Engineer, with his party, returned to the Red river, in the continuation of his reconnoissance, by a route parallel to the one he took from Fort Ransom to the Missouri river, and required the services of an escort, as was contemplated when the escort was detailed, the absurdity of the accused's interpretation of his orders would have become manifest, from the necessity which would have devolved upon the Commanding Officer of Fort Rice to take the responsibility, without any

orders, of weakening his important post by detailing an escort to accompany the surveying party over practically the same route traveled by the accused only a few days in advance, and which route he had to take to return to his station—the Rice escort having then to return to its station, making a totally unnecessary march of several hundred miles. It was evident there was just as much necessity for an escort returning as going, and this fact no one knew better than the accused.

The orders from these Headquarters stated that the escort would receive at Fort Ransom instructions where to join the surveying party. From the very nature of the service upon which this party was engaged, these instructions must come from its chief, and the Commanding Officer of Fort Wadsworth was not warranted in stating in his post orders that the officer in command of the escort would receive further instructions at Fort Ransom, *from Department Headquarters*—especially as he did not inform the Department Commander that such instructions were necessary, nor that any ambiguity was found as to the intent of the orders.

The Department Commander trusts that the good fortune of the accused in escaping the consequences of so grave an error of judgment will serve as a sufficient warning, and that in the future, when he finds difficulty in interpreting his orders, he will take the proper means, especially when time serves, as it did in this case, to ascertain the intent thereof before taking action, which might cause much injury to the interests of the public service.

The acquittal of Lieutenant *Turnock* is confirmed. He will be released from arrest and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Musician *Louis Wallace*, Company "E," 17th Infantry.
 2. Private *James H. Watts*, Company "I," 17th Infantry.
 3. Private *John Hunter*, Company "E," 17th Infantry.
 4. Private *William W. Naus*, Company "E," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 10, 1871.

GENERAL ORDERS }
No. 71. }

I. Before a General Court Martial, which convened at Fort Stevenson, D. T., by virtue of Special Orders No. 123, current series, from these Headquarters, and of which Lieut. Col. S. B. HAYMAN, 17th Infantry, is President, were arraigned and tried:

1st. Musician *Louis Wallace*, Company "E," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Musician *Louis Wallace*, Company 'E,' 17th Infantry, having been duly enlisted as a soldier in the service of the United States, did, on or about the night of the 27th of March, 1871, desert the same, and remain absent from his Company and post until March 28, 1871, when he was apprehended and brought back by a party sent to arrest him. This at Fort Stevenson, D. T."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Musician *Louis Wallace*, Company 'E,' 17th Infantry, did, on or about the night of March 27th, 1871, in company with others, viz.: John Hunter and William W. Naus, privates of Company 'E,' 17th Infantry, feloniously take, steal and carry away from the barracks of Company 'E,' 17th Infantry, the following property, belonging to the United States, viz.: three (3) Springfield breech-loading rifled muskets, three (3) cartridge boxes, three (3) cartridge box plates, three (3) waist belts, three (3) waist belt plates, three (3) bayonet scabbards, three (3) screw drivers, three hundred (300) metallic cartridges, more or less. All this at Fort Stevenson, D. T., on or about the time specified."

ADDITIONAL CHARGE I.—"Desertion."

Specification.—"In this, that he, Musician *Louis Wallace*, Company 'E,' 17th Infantry, duly enlisted as a soldier in the service of the United States, being at the time a prisoner in the post guard-house at Fort Stevenson, D. T., charged with a former desertion, did escape from the same on or about the night of April 18th, 1871, and did remain absent until arrested in an out building at the post, on the 19th of April, 1871."

ADDITIONAL CHARGE II.—"Theft."

Specification.—"In this, that he, Musician *Louis Wallace*, Company 'E,' 17th Infantry, in connection with other parties unknown, did, on or about the night of April 18th, 1871, enter the quarters of Company 'E,' 17th Infantry, and steal therefrom the following articles of property belonging to the United States, to wit: two (2) breech-loading Springfield rifles, cal. 58, two (2) bayonets, three (3)

cartridge boxes and plates, four (4) waist belts and plates, two hundred (200) rounds metallic ball cartridges, cal. 50. (more or less,) four (4) bayonet scabbards, four (4) screw drivers. This at Fort Stevenson, D. T."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."
 To the 1st CHARGE—"Guilty."
 To the *Specification*, 2d Charge—"Guilty."
 To the 2d CHARGE—"Guilty."
 To the *Specification*, 1st Additional Charge—"Guilty."
 To the 1st ADDITIONAL CHARGE—"Guilty."
 To the *Specification*, 2d Additional Charge—"Guilty."
 To the 2d ADDITIONAL CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."
 Of the 1st CHARGE—"Guilty."
 Of the *Specification*, 2d Charge—"Guilty."
 Of the 2d CHARGE—"Guilty."
 Of the *Specification*, 1st Additional Charge—"Guilty."
 Of the 1st ADDITIONAL CHARGE—"Guilty."
 Of the *Specification*, 2d Additional Charge—"Guilty."
 Of the 2d ADDITIONAL CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with the loss of all pay that is or may become due, except the just laundress dues; and to be confined at hard labor in such penitentiary as the proper authority may direct, for the period of two (2) years."

2d. Private *James H. Watts*, Company "I," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"That Private *James H. Watts*, Company 'I,' 17th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 27th day of March, 1871, and did remain absent from his company and post until on or about the 28th day of March, 1871, when he was apprehended by a party sent to arrest him. This at Fort Stevenson, D. T."

ADDITIONAL CHARGE—"Desertion."

Specification.—"That Private *James H. Watts*, Company 'I,' 17th Infantry, a duly enlisted soldier in the service of the United States, being confined as a prisoner in the guard-house at Fort Stevenson, D. T., charged with a former desertion, did escape from the same, on or about the night of April 18th, 1871, and did remain absent until arrested in an out-building at the post, on the 19th of April, 1871. This at Fort Stevenson, D. T., on or about the dates above specified."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification* of the Charge—"Guilty."

To the CHARGE—"Guilty."

To the *Specification* of the Additional Charge—"Guilty."

To the ADDITIONAL CHARGE—"Guilty."

FINDING.

Of the *Specification* of the Charge—"Guilty."

Of the CHARGE—"Guilty."

Of the *Specification* of the Additional Charge—"Guilty."

Of the ADDITIONAL CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are now or may become due him, except the just dues of his laundress; to be dishon-

orably discharged and drummed out of the service of the United States, then to be confined at hard labor for two (2) years, wearing a twelve pound wright attached to his left leg by a chain four feet long, at such place as may be designated by the proper authority.

3d. Private *John Hunter*, Company "E." 17th Infantry.

CHARGE I — "Desertion."

Specification.— "In this, that he, Private *John Hunter*, Company 'E,' 17th Infantry, having been duly enlisted as a soldier in the service of the United States, did, on or about the night of the 27th of March, 1871, desert the same, and remain absent from his company and post until March 28th, 1871, when brought back by a party sent to arrest him. This at Fort Stevenson, D. T."

CHARGE II.— "Theft, to the prejudice of good order and military discipline."

Specification.— "In this, that he, Private *John Hunter*, Company 'E,' 17th Infantry, did, on or about the night of March 27th, 1871, in company with others, viz.: Musician Louis Wallace, Company 'E,' 17th Infantry, and Private William W. Naus, Company 'E,' 17th Infantry, feloniously take, steal and carry away from the barracks of Company 'E,' 17th Infantry, the following property belonging to the United States, viz.: three (3) Springfield breech-loading rifle muskets, three (3) cartridge boxes, three (3) cartridge box plates, three (3) waist belts, three (3) waist belt plates, three (3) bayonet scabbards, three (3) screw drivers, three hundred (300) metallic cartridges, more or less. All this at Fort Stevenson, D. T., on or about the time specified."

ADDITIONAL CHARGE.— "Desertion."

Specification.—"In this, that he, Private *John Hunter*, Company 'E,' 17th Infantry, duly enlisted as a soldier in the service of the United States, being at the time a prisoner in the post guard-house at Fort Stevenson, D. T., charged with a former desertion, did escape from the same, on or about the night of April 18th, 1871, and did remain absent until arrested in an out-building at the post, on the 19th of April, 1871. This at Fort Stevenson, D. T., on or about the dates specified."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the *Specification*, Additional Charge—"Guilty."

To the ADDITIONAL CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

Of the *Specification*, Additional Charge—"Guilty."

Of the ADDITIONAL CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are now or may become due him, except the just dues of his laundress; to be dishonorably discharged and drummed out of the service of the United States, then to be confined at hard labor for two (2) years, wearing a twelve pound weight attached to his left leg by a chain four feet long, at such place as may be designated by the proper authority."

4th. Private *William W. Naus*, Company "E," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *William W. Naus*, Company 'E,' 17th Infantry, having been duly enlisted as a soldier in the service of the United States, did, on or about the night of the 27th day of March, 1871, desert the same, and remain absent from his company and post until March 28th, 1871, when brought back by a party sent to arrest him. This at Fort Stevenson, D. T."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *William W. Naus*, Company 'E,' 17th Infantry, did, on or about the night of March 27th, 1871, in company with others, viz.: Musician Louis Wallace, Company 'E,' 17th Infantry, and Private John Hunter, Company 'E,' 17th Infantry, feloniously take, steal and carry away from the barracks of Company 'E,' 17th Infantry, the following property belonging to the United States, viz.: three (3) Springfield breech-loading rifle muskets, three (3) cartridge boxes, three (3) cartridge box plates, three (3) waist belts, three (3) waist belt plates, three (3) bayonet scabbards, three (3) screw drivers, three hundred (300) metallic cartridges, more or less. All this at Fort Stevenson, D. T., on or about the time specified."

ADDITIONAL CHARGE.—"Desertion."

Specification.—"In this, that he, Private *William W. Naus*, Company 'E,' 17th Infantry, duly enlisted as a soldier in the service of the United States, being at the time a prisoner in the post guard-house, charged with a former desertion, did escape from the same on or about the night

of April 18th, 1871, and did remain absent until he surrendered himself to the sergeant of the guard at the post guard-house, Fort Stevenson, D. T., on the 19th day of April, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—" Not Guilty."
 To the 1st CHARGE—" Not Guilty."
 To the *Specification*, 2d Charge—" Not Guilty."
 To the 2d CHARGE—" Not Guilty."
 To the *Specification*, Additional Charge—" Guilty."
 To the ADDITIONAL CHARGE—" Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty."
 Of the 1st CHARGE—" Guilty "
 Of the *Specification*, 2d Charge—" Not Guilty."
 Of the 2d CHARGE—" Not Guilty."
 Of the *Specification*, Additional Charge—" Guilty."
 Of the ADDITIONAL CHARGE—" Guilty."

SENTENCE.

"To forfeit all pay and allowances that are now or may become due him, except the just dues of his laundress; to be dishonorably discharged and drummed out of the service of the United States, then to be confined at hard labor for two (2) years, wearing a twelve pound weight attached to his left leg by a chain four feet long, at such place as may be designated by the proper authority."

II. The proceedings, findings and sentence in the foregoing case of Musician *Louis Wallace*, Company " E," 17th Infantry, are approved, and the sentence will be duly executed. The Minnesota State Penitentiary, at Stillwater, Minn., is designated as the place of confinement.

The proceedings, findings and sentences in the foregoing cases of Privates *James H. Watts*, Company "I," and *William W. Naus*, Company "E," 17th Infantry, are approved, and the sentences will be duly executed. Fort Stevenson, D. T., is designated as the place of confinement.

In the case of Private *John Hunter*, the proceedings, findings and sentence are approved. Upon the recommendation of the members of the court, and in consideration of the extreme youth of the prisoner, so much of the sentence as relates to confinement for two years, is remitted. The remainder of the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., Aug. 21, 1871.

GENERAL ORDERS, }
No. 72. }

The following communication from the War Department, Adjutant General's office, is published for the information of this command, viz:

WAR DEPARTMENT, }
ADJUTANT GENERAL'S OFFICE, }
Washington, August 12, 1871. }

To the Commanding General, Department of Dakota, through Headquarters Military Division of the Missouri, Chicago, Illinois:

SIR:--I have the honor to communicate for your information and guidance the following decision of the Secretary of War, in regard to the discharge of enlisted men held in confinement by sentence of a Court Martial:

"It is decided that a discharge from the service, given before the expiration of the term of confinement imposed by sentence of Court Martial, (where by the terms of the sentence a dishonorable discharge is to be given at the end of the confinement,) will operate as a remission of the remaining portion of the sentence."

Very respectfully, your obedient servant,

[SIGNED,]

E. D. TOWNSEND,

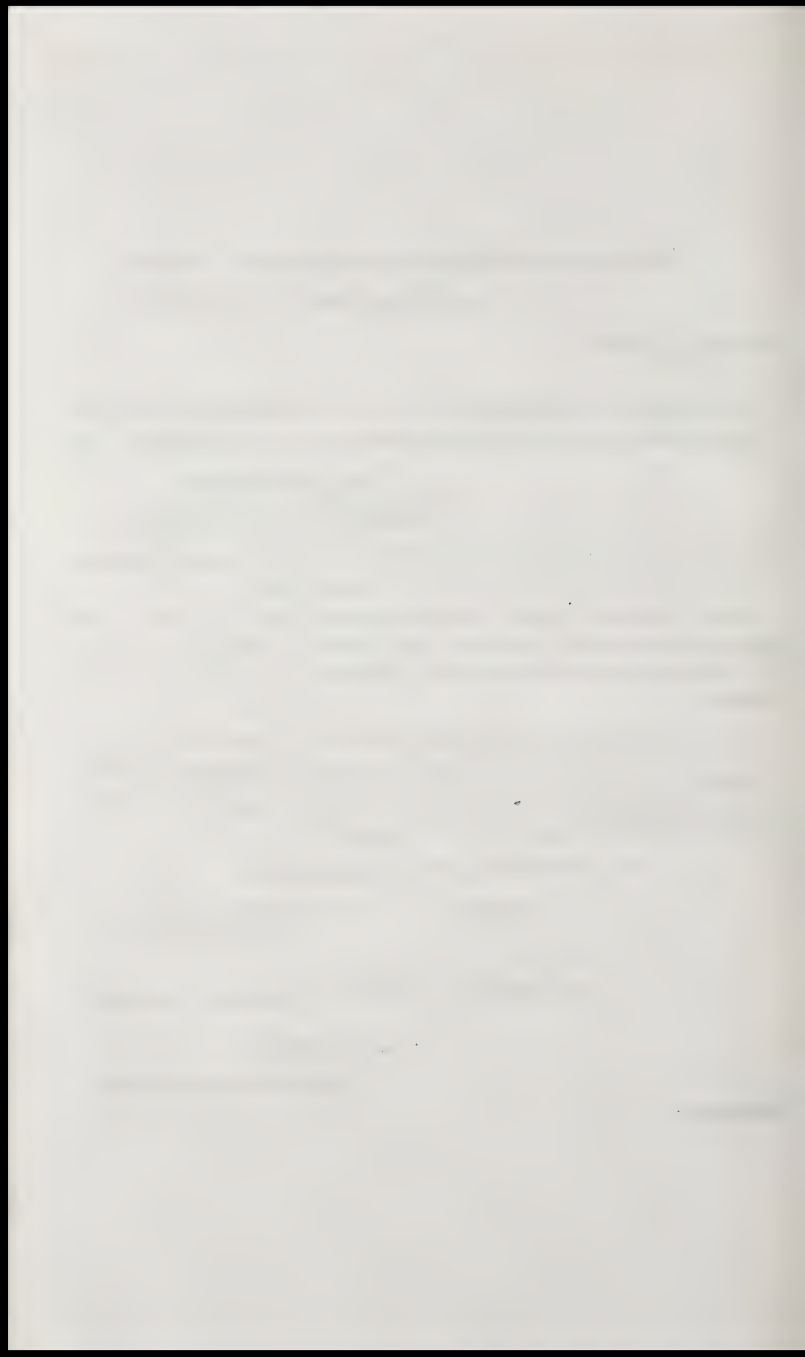
Adjutant General.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Thomas Leonard*, Company "B," 7th Infantry.
 2. Private *Patrick Murphy*, Company "B," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 1, 1871.

GENERAL ORDERS } No. 73. }

I..Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders No. 165, current series, from these Headquarters, and of which Captain H. B. FREEMAN, 7th Infantry, is President, were arraigned and tried :

1st. Private *Thomas Leonard*, Company "B," 7th Infantry.

CHARGE.—" Violation of the 45th Article of War."

Specification.—" In this, that Private *Thomas Leonard*, Company 'B,' 7th U. S. Infantry, while a member of the post guard, at Fort Shaw, Montana Territory, did become so much under the influence of intoxicating liquor as to be unable to perform his duties as a sentinel. All this at Fort Shaw, Montana Territory, on the 21st day of May, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, for three (3) months."

2d. Private *Patrick Murphy*, Company "B," 7th Infantry.

CHARGE I.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Patrick Murphy*, Private, 'B' Company, 7th Infantry, did feloniously take, steal, and carry away, and appropriate to his own use, the following articles, to-wit: One revolver, scabbard, and belt, of the value of thirty-two (32) dollars; five (5) citizen's vests, value thirty (30) dollars; one (1) citizen coat, value eighteen (18) dollars; one (1) buffalo robe, value eight (8) dollars, the property of Mr. Charles A. Bull, citizen. This at the 'National Hotel,' in the vicinity of Fort Shaw, M. T., on or about the 1st day of February, 1871."

CHARGE II.—"Violation of the 21st Article of War."

Specification —"In this, that he, *Patrick Murphy*, Private, Company 'B,' 7th Infantry, did absent himself from his Company, without leave from his Commanding Officer. This at Fort Shaw, M. T., between the hours of 'retreat,' February 1st, and 'reveille,' February 2d, 1871."

To which *CHARGES* and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d Charge—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Not Guilty."

Of the 1st CHARGE—"Not Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, under charge of the guard, for the period of one month, and to forfeit to the United States ten dollars of his monthly pay."

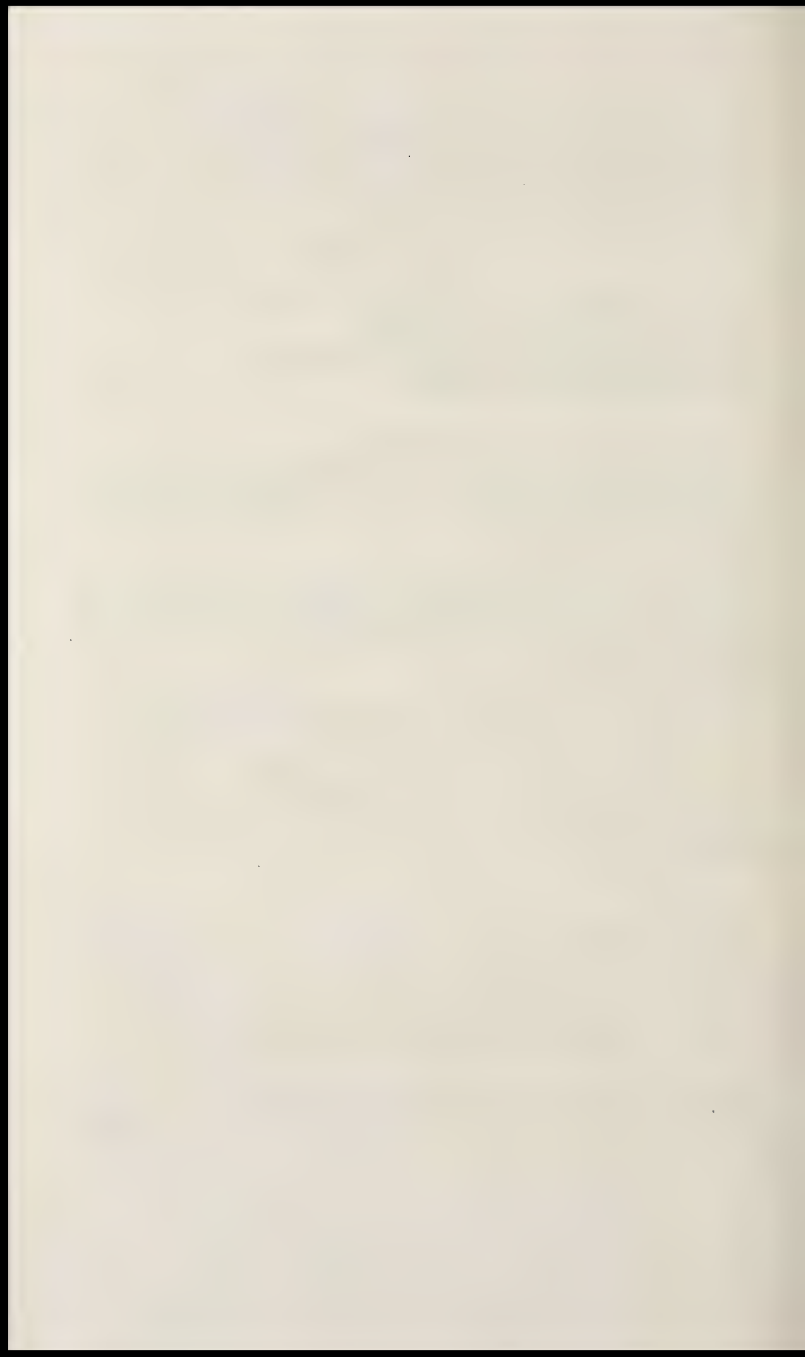
II.. The proceedings, findings, and sentences in the foregoing cases of Privates *Thomas Leonard* and *Patrick Murphy*, Company "B," 7th Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Private *Aaron Curry*, Company "B," 22d Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 2, 1871.

GENERAL ORDERS, }
No. 74. }

I. Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 164, series of 1870, from these Headquarters, and of which Lieutenant Colonel ELWELL S. OTIS, 22d Infantry, is President, was arraigned and tried:

Private *Aaron Curry*, Company "B," 22d Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Aaron Curry*, a duly enlisted soldier in the service of the United States, late a private of Company 'C,' 22d Infantry, but transferred on the 18th day of June, 1871, to 'B' Company, of the same regiment, did enter a room in the trading establishment of Pratt & Ferris, and did feloniously steal, take, and carry away therefrom, a sum of money, amounting to twenty-one dollars (\$21.00), more or less; also a quantity of trade tickets, commonly called 'sutler's checks,' representing a

value of ten dollars and fifty cents (\$10.50). This at Fort Randall, D. T., on or about the 10th day of April, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with loss of all pay and allowances now due, or to become due, and to be confined in such penitentiary as the Major General Commanding the Department may direct, for the period of eighteen (18) months."

II..The proceedings, findings, and sentence in the foregoing case are approved, and the sentence will be duly executed. The Minnesota State Penitentiary at Stillwater, Minn., is designated as the place of confinement.

III..The General Court Martial, appointed by paragraph 2, Special Orders No. 164, series of 1870, from these Headquarters, and of which Lieutenant Colonel ELWELL S. OTIS, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

G. C. M.

1. Private *Charles Rennells*, Company "G," 20th Infantry.
 2. Private *Charles E. Copp*, Company "G," 20th Infantry.
 3. Private *Dennis Conner*, Company "G," 20th Infantry.
 4. Private *John Hogan*, Company "G," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 3, 1871.

GENERAL ORDERS, }
No. 75. }

I. Before a General Court Martial, which convened at Fort Ripley, Minn., by virtue of Special Orders No. 188, current series, from these Headquarters, and of which Captain E. C. Mason, 20th Infantry, is President, were arraigned and tried:

1st. Private *Charles Rennells*, Company "G," 20th Infantry.

CHARGE I.—"Violation of the 44th Article of War."

Specification.—"In this, that he, Private *Charles Rennells*, Company "G," 20th Infantry, having been regularly detailed and warned, as a member of the post guard (by 1st Sergeant Frank W. Bryant, Company "G," 20th Infantry), did fail to parade with the detail, and did absent himself without permission from proper authority. This at Fort Ripley, Minn., on the 13th and 14th days of July, 1871."

CHARGE II.—"Absence without leave."

Specification.—"In this, that he, Private *Charles Rennells*, Company 'G,' 20th Infantry, did absent himself from his Company and post, without permission from proper authority. This at Fort Ripley, Minn., on the 13th and 14th days of July, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten dollars of his monthly pay per month for six (6) months, and to be confined at hard labor, in charge of the guard, for the same period, wearing a twelve pound ball and chain."

2d. Private *Charles E. Copp*, Company "G," 20th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Charles E. Copp*, Company 'G,' 20th Infantry (being at the time an acting non-commissioned officer), did, while on duty as corporal of the post guard, open in a careless and negligent manner,

and without proper precaution the door of a cell in the post guard-house, whereby privates Adolph Free and John Ryan, Company 'G,' 20th Infantry, (prisoners awaiting trial for desertion,) were enabled to effect their escape from confinement. All this at Fort Ripley, Minn., on the night of July 29th, 1871."

Specification II.—"In this, that he, Private *Charles E. Copp*, Company 'G,' 20th Infantry, while on duty as corporal of the post guard, and having by his neglect of duty allowed two prisoners in his charge to escape, did fail to make proper effort to pursue and capture said prisoners. This at Fort Ripley, Minn., on the night of July 29th, 1871."

Specification III.—"In this, that he, Private *Charles E. Copp*, Company 'G,' 20th Infantry, while on duty as corporal of the post guard, did allow in the guard-house a bottle of whiskey, or other spirituous liquor. This at Fort Ripley, Minn., on the night of July 29th, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the 3d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Not Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the 3d *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "*acquit him.*"

3d. Private *Dennis Conner*, Company "G," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *Dennis Conner*, Company 'G,' 20th Infantry, having been ordered by 1st Lieutenant John A. Mauley, 20th Infantry, (through 1st Sergeant Frank W. Bryant, Company 'G,' 20th Infantry.) in the execution of his office, to scrub out the company sink, did neglect to obey said order. This at Fort Ripley, Minn., on the 23d day of August, 1871."

Specification II.—"In this, that he, Private *Dennis Conner*, Company 'G,' 20th Infantry, did use insolent and insubordinate language towards Sergeant John McCarthy, Company 'G,' 20th Infantry, he (Sergeant McCarthy,) being at the time in the execution of his duty. This at Fort Ripley, Minn., on the 23d day of August, 1871."

Specification III.—"In this, that he, Private *Dennis Conner*, Company 'G,' 20th Infantry, did absent himself from reveille roll call of his Company, on the 23d day of August, 1871, without permission from proper authority. This at Fort Ripley, Minn., on the date specified."

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the 3d *Specification*—"Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the 3d *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States, ten dollars of his monthly pay per month for six months, and to be confined at hard labor, in charge of the guard, for the same period, wearing a twelve pound ball and chain."

4th. Private *John Hogan*, Company "G," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *John Hogan*, Company "G," 20th Infantry, did absent himself from tattoo roll call of his Company, without permission from proper authority. This at Fort Ripley, Minn., on the 22d day of August, 1871."

Specification II.—"In this, that he, Private *John Hogan*, Company "G," 20th Infantry, having been ordered by 1st Lieut. J. A. Manley, 20th Infantry, through the 1st Sergeant of his Company, (Frank W. Bryant,) to scrub out the Company sink, did refuse to obey said order. This at Fort Ripley, Minn., on the 23d day of August, 1871."

Specification III.—"In this, that he, Private *John Hogan*, Company "G," 20th Infantry, did conduct himself in a disorderly and unsoldierlike manner in the post hospital, striking with his fist the door of the Surgeon's office, occupied by Acting Assistant Surgeon J. J. DeLamater, U. S. A. This at Fort Ripley, Minn., on the 23d day of August, 1871."

To which *CHARGE* and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—"Guilty."

To the 2d *Specification*—"Not Guilty."

To the 3d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the 3d *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States, ten dollars of his monthly pay per month for six months, and to be confined at hard labor, in charge of the guard, for the same period, wearing a twelve pound ball and chain."

II..The proceedings, findings and sentences in the foregoing cases of Privates *Charles Rennells*, *Dennis Conner*, and *John Hogan*, Company "G," 20th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and acquittal in the case of Private *Charles E. Copp*, Company "G," 20th Infantry, are approved. Orders have already been issued, releasing him from confinement and restoring him to duty.

III..The General Court Martial, appointed by Special Orders No. 188, current series, from these Headquarters, and of which Captain E. C. MASON, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *John O'Connor*, Company "E," 20th Infantry.
 2. Private *George B. Hazen*, Company "F," 20th Infantry.
 3. Private *William Hausman*, Company "E," 20th Infantry.
 4. Private *John K. Wells*, Company "D," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 4, 1871.

GENERAL ORDERS } No. 76. }

I. Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 185, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried:

1st. Private *John O'Connor*, Company "E," 20th Infantry.

CHARGE I.—"Violation of the 50th Article of War."

Specification.—"In this, that he, Private *John O'Connor*, Company "E," 20th Infantry, having been duly mounted as a member of the post guard at Fort Snelling, Minn., did desert said guard. This at Fort Snelling, Minn., on or about the 18th day of July, 1871."

CHARGE II.—"Desertion."

Specification.—"In this, that he, Private *John O'Connor*, of

Company 'E,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 18th day of July, 1871, and did remain absent until he surrendered himself on the 23d day of July, 1871. This at Fort Snelling, Minn."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty, except the word, 'desert.'"

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty, but Guilty of 'absence without leave.'"

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty, except the word, 'desert,' substituting therefor the words, 'absent himself from.'"

Of the 2d CHARGE—"Not Guilty, but Guilty of 'absence without leave.'"

SENTENCE.

"To forfeit to the United States ten dollars of his monthly pay per month for three months, and to be confined at hard labor, under charge of the guard, for the same period."

2d. Private *George B. Hazen*, Company "F," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that Private *George B. Hazen*, Company 'F,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at New

Orleans, La., on or about the 18th day of April, 1867, and did remain absent until apprehended at New Haven, Conn., on or about the 13th day of April, 1871. This at the time and place above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service; and to be confined at hard labor at such military prison as the Department Commander may designate, for three (3) years, wearing a ball and chain weighing twelve (12) pounds."

3d. Private *William Hausman*, Company "E," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *William Hausman*, Company 'E,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 9th day of July, 1870, and did remain absent until apprehended on or about the 1st day of June, 1871. This at Fort Snelling, Minn., on or about the dates above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service; and to be confined at hard labor at such military prison as the Department Commander may designate, for three (3) years, wearing a ball and chain weighing twelve (12) pounds."

4th. Private *John K. Wells*, Company "D," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *John K. Wells*, Company 'D,' 20th Infantry, a duly enlisted soldier in the service of the United States, did absent himself from and desert said service from Fort Abercrombie, D. T., June 9th, 1871, and did remain absent until apprehended at Minneapolis, Minn., June 20th, 1871. All this at or near the places and on or about the dates above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, except the word, 'apprehended.'"

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service; and to be confined at hard labor, at such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds."

II..The proceedings, findings and sentence in the foregoing case of Private *John O'Connor*, Company "E," 20th Infantry, are approved. The sentence is confirmed, and will be duly executed.

The proceedings, findings and sentences in the foregoing cases of Privates *George B. Hazen*, Company "F," and *William Hausman*, Company "E," 20th Infantry, are approved. The sentences are confirmed, and will be duly executed. Fort Snelling, Minn., is designated as the place of confinement.

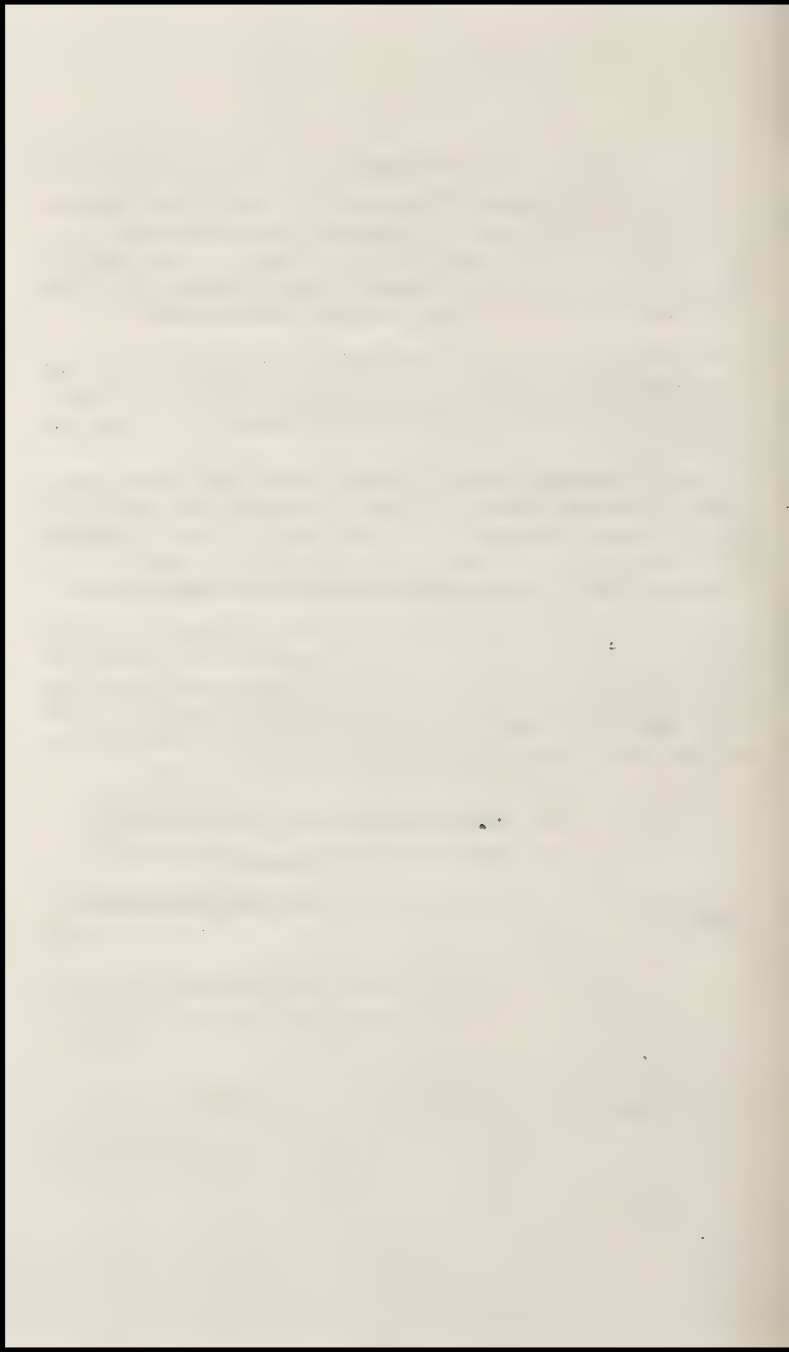
In the case of Private *John K. Wells*, Company "D," 20th Infantry, the proceedings, findings and sentence are approved. Upon the recommendation of a majority of the members of the Court, the sentence, except the forfeiture of pay and allowances now due, is remitted. He will be released from confinement and returned to duty with his Company.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :



G. C. M.

1. Corporal *Hiram D. Cook*, Company "G," 7th Infantry.
 2. Private *John Devine*, Company "K," 7th Infantry.
 3. Private *Joseph Winstel*, Company "E," 7th Infantry.
 4. Private *Richard O'Brien*, Company "E," 7th Infantry.
 5. Private *James Hodges*, Company "B," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 5, 1871.

GENERAL ORDERS)
No. 77.)

I. . Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders No. 141, current series, from these Headquarters, and of which Captain H. B. FREEMAN, 7th Infantry, is President, were arraigned and tried:

1st. Corporal *Hiram D. Cook*, Company "G," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In that he, Corporal *Hiram D. Cook*, Company "G," 7th Infantry, did become grossly intoxicated, and did so exhibit himself in the presence of the Commanding Officer and enlisted men of the post. This at Camp Baker, M. T., on or about the 26th day of May, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty, except the words, 'and did so exhibit himself in the presence of the Commanding Officer and enlisted men of the post.'"

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, except the words, 'the Commanding Officer and.'"

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the rank of a private soldier, and to forfeit to the United States ten dollars (\$10) of his monthly pay for the period of one month."

2d. Private *John Devine*, Company "K," 7th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification—"In that he, *John Devine*, Private, Company 'K,' 7th Infantry, a member of the post guard at Fort Shaw, M. T., having been duly posted as a sentinel, was found sleeping on his post. This at Fort Shaw, M. T., on the morning of the 10th of June, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of six months."

3d. Private *Joseph Winstel*, Company "E," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Joseph Winstel*, Company "E," 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the same, at Fort Benton, Montana Territory, on or about the 12th of May, 1871, and did remain absent therefrom until apprehended near Fort Shaw, Montana, on or about the 16th of May, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due or to become due, except the just dues of the laundress ; to be confined at hard labor, in charge of the guard, for four years ; then to have his head shaved, to be dishonorably discharged from and drummed out of the military service of the United States."

4th. Private *Richard O'Brien*, Company "E," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Richard O'Brien*, Company 'E,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Benton, Montana Territory, on or about the 12th day of May, 1871, and did remain absent therefrom until apprehended near Fort Shaw, Montana, on or about the 16th day of May, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due or to become due, except the just dues of the laundress; to be confined at hard labor, in charge of the guard, for four years; then to have his head shaved, to be dishonorably discharged from and drummed out of the military service of the United States."

5th. Private *James Hodges*, Company "B," 7th Infantry.

CHARGE.—"Sleeping on post, in violation of the 46th Article of War."

Specification.—"In this, that he, Private *James Hodges*, Company 'B,' 7th Infantry, having been duly posted as a sentinel on No. 4 post, did fall asleep on said post and there remain until apprehended by the Officer of the Day. This at Fort Shaw, M. T., May 26th, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING. .

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor under charge of the guard, for the period of six months."

II. . The proceedings, findings and sentences in the foregoing cases of Corporal *Hiram D. Cook*, Company "G," and Privates *John Devine*, Company "K," and *James Hodges*, Company "B," 7th Infantry, are approved, and the sentences will be duly executed.

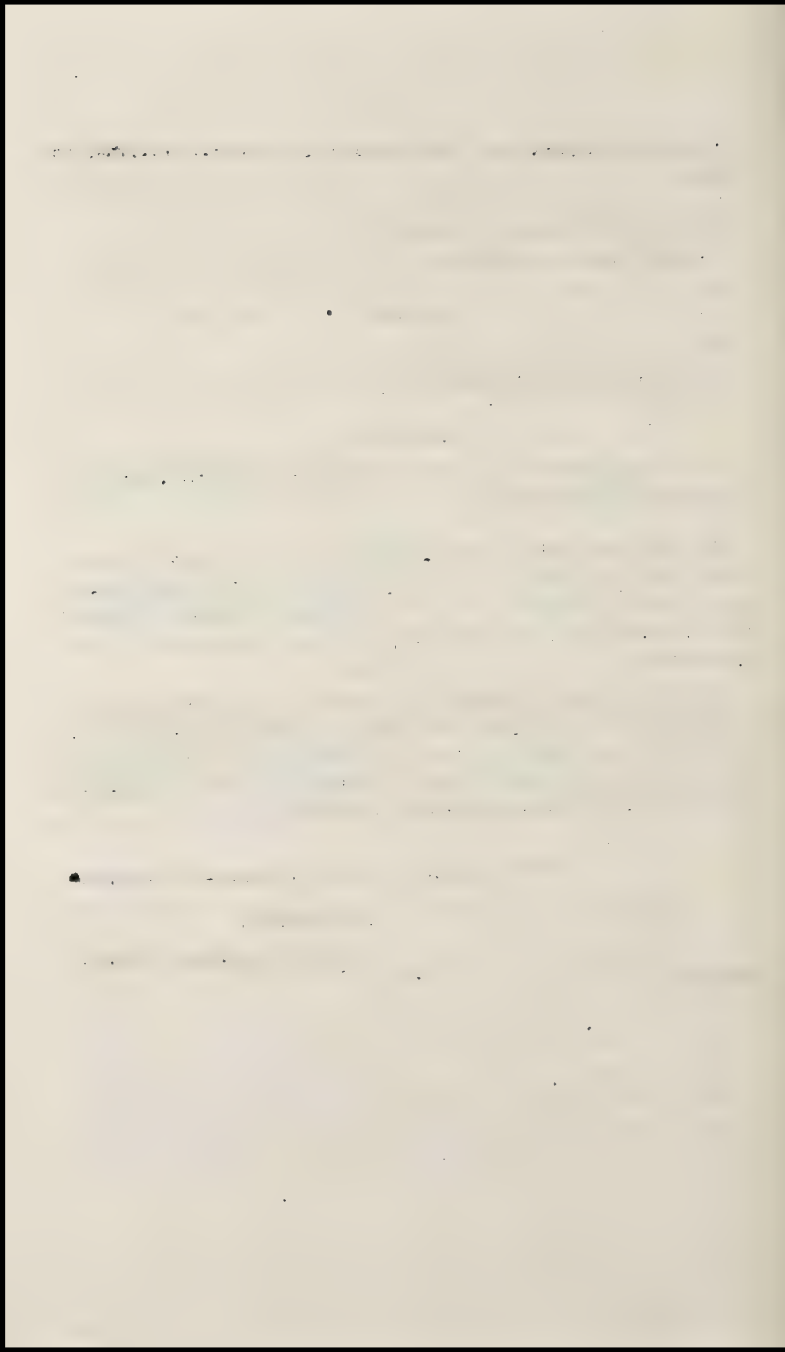
The proceedings, findings and sentences in the foregoing cases of Privates *Joseph Winstel* and *Richard O'Brien*, Company "E," 7th Infantry, are approved, and the sentences will be duly carried into execution, except so much thereof as relates to shaving the heads of the prisoners, which is remitted.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL;



G. C. M.

1. Private *Joseph White*, Company "E," 20th Infantry.
 2. Private *John Monteith*, Company "E," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 6, 1871.

GENERAL ORDERS, }
No. 78. }

I. Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 185, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried :

1st. Private *Joseph White*, Company "E," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Joseph White*, Company "E," 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 9th day of September, 1870, and did remain absent until apprehended at Omaha City, Nebraska, on or about the 15th day of July, 1871. This at Fort Snelling, Minn., on or about the dates above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows.

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service, and to be confined at hard labor, at such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds."

2d. Private *John Monteith*, Company "E," 20th Infantry.

CHARGE I.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this, that Private *John Monteith*, Company 'E,' 20th Infantry, on extra duty as carpenter in the Quartermaster's Department, at Fort Snelling, Minn., did neglect to perform such duty, and upon being ordered by his superior officer, 1st Lieut. W. S. McCaskey, R. Q. M. 20th Infantry, A. A. Q. M., (he being in the execution of his office,) to go to work, did disobey said order, and did refuse to go to work in words to wit: 'I won't do it,' or words of like import. This at Fort Snelling, Minn., on or about the 18th day of August, 1871."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification I.—"In this, that Private *John Monteith*, Company 'E,' 20th Infantry, having been detailed on extra duty as carpenter in the Quartermaster's Department at

Fort Snelling, Minn., did neglect to perform such duty. This at Fort Snelling, Minn., on or about the 18th day of August, 1871."

Specification II.—"In this, that Private *John Monteith*, Company 'E,' 20th Infantry, on extra duty in the Quartermaster's Department at Fort Snelling, Minn., as carpenter, did neglect to perform such duty, and when ordered by Quartermaster Sergeant John D. Bentz, 20th Infantry, (he being in the execution of his office,) to do certain work, did refuse to obey. This at Fort Snelling, Minn., on or about the 18th day of August, 1871."

CHARGE III.—"Violation of the 6th Article of War."

Specification.—"In this, that Private *John Monteith*, Company 'E,' 20th Infantry, on extra duty as carpenter in the Quartermaster's Department at Fort Snelling, Minn., having been ordered by his Commanding Officer, 1st Lieut. W. S. McCaskey, R. Q. M. 20th Infantry, A. A. Q. M., to go to work, did treat the said Lieut. McCaskey with disrespect and contempt, in the presence of enlisted men of the 20th Infantry, by refusing to obey said order. This at Fort Snelling, Minn., on or about the 18th day of August, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."
 Of the 1st CHARGE—"Guilty."
 Of the 1st *Specification*, 2d Charge—"Guilty."
 Of the 2d *Specification*, 2d Charge—"Guilty."
 Of the 2d CHARGE—"Guilty."
 Of the *Specification*, 3d Charge—"Guilty."
 Of the 3d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, for thirty days, ten of which to be solitary and on bread and water; and to forfeit ten dollars of his pay per month for six months."

II. . The proceedings, findings and sentences in the foregoing cases of Privates *Joseph White* and *John Monteith*, Company "E," 20th Infantry, are approved, and the sentences will be duly executed. Fort Snelling, Minn., is designated as the place of confinement of Private *Joseph White*, Company "E," 20th Infantry.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *William Henry*, Company "C," 20th Infantry.
 2. Private *Thomas Richards*, Company "C," 20th Infantry.
 3. Private *John Smith*, Company "C," 20th Infantry.
 4. Private *John W. Jeffreys*, Company "F," 20th Infantry.
 5. Private *William Soultz*, Company "B," 20th Infantry.
 6. Private *John Malcy*, Company "B," 20th Infantry.
 7. Sergeant *Joseph Milburn*, Company "D," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 9, 1871.

GENERAL ORDERS, }
No. 79. }

1. Before a General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 186, current series, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, were arraigned and tried:

1st. Private *William Henry*, Company "C," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *William Henry*, Company "C," 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at

Fort Ransom, D. T., on the 27th day of July, 1871, and did remain absent until apprehended at or near Fort Abercrombie, D. T., a distance of sixty-five miles from his post. Thirty dollars (\$30.00) paid for his apprehension. This at Fort Ransom, D. T., on or about the 27th day of July, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the laundress ; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, wearing a ball weighing twenty (20) pounds, attached to his left leg by a chain three (3) feet in length, at such place as the reviewing authority may direct, for the period of three (3) years."

2d. Private *Thomas Richards*, Company "C," 20th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Thomas Richards*, Company 'C,' 20th U. S. Infantry, a soldier duly enlisted into the service of the United States, did desert the same on the 26th day of May, 1871, and did remain absent until he surrendered himself at Fort Ransom, D. T., near mid-

night of the 27th day of May, 1871. This at or near Fort Ransom, D. T., on or about the 26th day of May, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Thomas Richards*, Company 'C,' 20th U. S. Infantry, did feloniously take, steal, and carry away the following named property of the United States, viz.: One (1) Springfield breech-loading rifled musket and forty (40) rounds of ammunition. This at or near Fort Ransom, D. T., on or about the 26th day of May, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and then to be confined in such penitentiary as the Major General Commanding may direct, for the period of three (3) years."

3d. Private *John Smith*, Company "C," 20th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *John Smith*, Company 'C,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Ransom, D. T., on the 27th day of July, 1871, and did remain absent until apprehended at or near Faribault's mail station, a distance of twenty-eight miles from his post. Thirty dollars (\$30.00) paid for his apprehension. This at Fort Ransom, D. T., on or about the 27th day of July, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John Smith*, Company 'C,' 20th Infantry, did feloniously take, steal, and carry away from the post stables the following articles, the property of the United States, and for which 1st Lieut. J. S. Stafford, 20th Infantry, is responsible: two (2) horses, two (2) saddles, two (2) bridles, two (2) saddle blankets, two (2) picket ropes and pins. This at Fort Ransom, D. T., on or about the 27th day of July, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty, except 'two (2),' substituting 'one (1)' therefor wherever they appear in the *Specification*."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and then to be confined in such penitentiary as the Major General Commanding may direct, for the period of seven (7) years."

4th. Private *John W. Jeffreys*, Company "F," 20th Infantry.

CHARGE—"Desertion."

Specification—"In this, that he, Private *John W. Jeffreys*, Company 'F,' 20th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Wadsworth, Dakota Territory, on the 23d day of July, 1871, and did remain absent until apprehended at or near the Sisseton and Wappeton Agency, south-west of Fort Wadsworth, D. T., on the 25th day of July, 1871. Thirty (30) dollars reward paid for apprehension. All this at or near Fort Wadsworth, D. T., and on or about the dates above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, wearing a ball weighing twenty (20) pounds attached to his left leg by a chain four (4) feet long, at such place as the reviewing authority may direct, for the period of three (3) years."

5th. Private *William Soult*s, Company "B," 20th Infantry.

CHARGE—"Desertion."

Specification —"In this, that he, Private *William Soult*s, Company 'B,' 20th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Wadsworth, Dakota Territory, on the 25th day of July, 1871, and did remain absent until apprehended at or near Twin Lakes, Dakota Territory, on or about the 27th day of July, 1871. All this at or near Fort Wadsworth, Dakota Territory. Thirty dollars (\$30.00) reward paid for apprehension."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the

laundress; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, wearing a ball weighing twenty (20) pounds attached to his left leg by a chain four (4) feet long, at such place as the reviewing authority may direct, for the period of three (3) years."

6th. Private *John Maley*, Company "B," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *John Maley*, Company 'B,' 20th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Fort Wadsworth, Dakota Territory, on the 24th day of July, 1871, and did remain absent until apprehended at or near Twin Lakes, Dakota Territory, on or about the 26th day of July, 1871. All this at or near Fort Wadsworth, Dakota Territory. Thirty dollars (\$30.00) reward paid for apprehension."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and then to be confined at hard labor, wearing a ball weighing twenty (20) pounds attached to his left leg by a chain

four (4) feet long, at such place as the reviewing authority may direct, for the period of three (3) years."

7th. Sergeant *Joseph Milburn*, Company "D," 20th Infantry.

CHARGE—"Drunkenness on duty."

Specification.—"In this, that he, Sergeant *Joseph Milburn*, Company 'D,' 20th Infantry, having been regularly detailed and mounted as sergeant in charge of the post guard at Fort Abercrombie, D. T., did become so drunk as to be utterly unable to perform any military duty in a proper manner. All this at Fort Abercrombie, D. T., on or about the fifth (5th) day of July, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be reduced to the ranks as a private soldier, and to be confined at hard labor, under charge of the guard, for two (2) months."

II..The proceedings, findings and sentences in the foregoing cases of Privates *William Henry*, Company "C," *John W. Jeffreys*, Company "F," *William Soultz* and *John Maley*, Company "B," 20th Infantry, are approved. The sentences are confirmed and will be duly executed. The post where the

prisoners' Companies may be serving is designated as the place of confinement.

The proceedings, findings and sentences in the foregoing cases of Privates *Thomas Richards* and *John Smith*, Company "C," 20th Infantry, are approved, and the sentences will be duly carried into execution. The Minnesota State Penitentiary at Stillwater, Minn., is designated as the place of confinement.

The proceedings, findings and sentence in the case of Sergeant *Joseph Milburn*, Company "D," 20th Infantry, are approved, and the sentence will be duly executed.

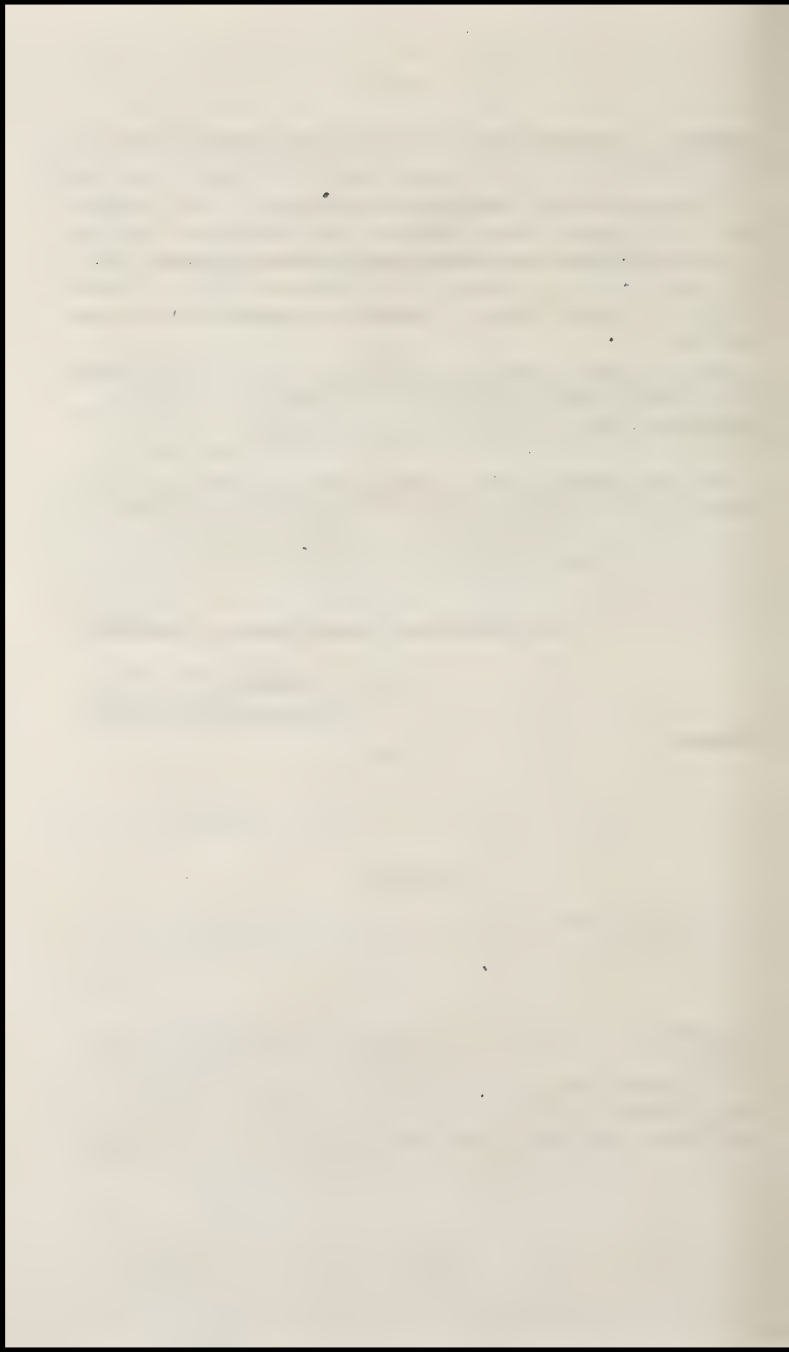
III.. The General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 186, current series, from these Headquarters, and of which Lieut. Col. L. C. HUNT, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Sergeant *William K. Ward*, Company "G," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 12, 1871.

GENERAL ORDERS } No. 80. }

I.. Before a General Court Martial, which convened at Fort Rice, D. T., by virtue of Special Orders No. 166, current series, from these Headquarters, and of which Captain L. H. SANGER, 17th Infantry, is President, was arraigned and tried :

Sergeant *William K. Ward*, Company "G," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that Sergeant *William K. Ward*, Company 'G,' 17th Infantry, having been duly enlisted in the service of the United States, did desert the said service at Fort Rice, D. T., on or about the 20th day of May, 1871, and did remain absent until arrested at or near the Grand River Agency, D. T., on or about the 22d day of May, 1871. Thirty dollars (\$30.00) being paid for such apprehension."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that Sergeant *William K. Ward*, Company 'G,' 17th Infantry, did, while absenting himself from his Company and command at Fort Rice, D. T., feloniously take, steal, and carry away with him one (1) Springfield breech-loading rifled musket, (1) gun-sling, and

forty (40) rounds of ammunition, these articles being the property of the United States, for which Capt. L. H. Sanger, 17th Infantry, is responsible, and with the intention of defrauding the Government of the United States of the aforesaid articles of property. All this at Fort Rice, D. T., on or about the 20th day of May, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due, the just dues of the laundress excepted; to be dishonorably discharged the service of the United States, and to be confined at hard labor at such place as the Commanding General may direct, for a period of four (4) years."

II. . The proceedings, findings and sentence in the foregoing case, are approved. The sentence will be duly carried into execution at Fort Rice, D. T., which is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 20, 1871.

GENERAL ORDERS }
No. 81. }

In compliance with the provisions of paragraphs II and III, Special Orders No. 351, current series, War Department, Adjutant General's Office, Major *C. T. Larned*, Paymaster, U. S. A., will turn over to Major *Rodney Smith*, Paymaster, U. S. A., Acting Chief Paymaster, all public funds, property, instructions, &c., &c., pertaining to the office of Chief Paymaster of this Department and will then proceed, without delay, to Washington, D. C., where he will report in person to the Paymaster General of the Army, as directed in the Special Orders above referred to.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 21, 1871.

GENERAL ORDERS }
No. 82. }

Post Commanders will at once cause their respective Staff Officers of the Supply Departments to prepare *in triplicate*, and forward through them to these headquarters, the requisite annual estimates for supplies, for the fiscal year ending June 30th, 1873.

In the Quartermaster's Department, the estimates for the regular supplies (fuel, forage, straw and stationery,) will be made separately, and based upon the strength of the garrison, number of animals, and regulation allowances. Estimates for clothing, camp, and garrison equipment will be separate and based upon the maximum strength of companies. The estimates for building material will be made separate for each building at the post. For any machinery which may be required separate estimates must be made. Estimates for miscellaneous stores should show the special use for each article. All estimates (regular and miscellaneous) should show the amount on hand *at date the estimate is made*. The estimates for the supply of this branch of the service, must be forwarded in time to reach these headquarters *not later* than the 1st of December of the current year.

The estimates for the supply of the Subsistence Department will be made in conformity with the requirements of paragraph 3, General Orders No. 12, series of 1870, from these headquarters, with the exception that they are to be forwarded in time to be received at these headquarters on or before the 1st of January, 1872, instead of the 15th of that month.

For the supply of the Medical Department, the estimates are required to be forwarded in time to reach these headquarters on or before the 1st of January, 1872.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *William H. Nash*, Company "F," 2d Cavalry.
 2. Private *Henry Muller*, Company "A," 7th Infantry.
 3. Private *David Benning*, Company "G," 2d Cavalry.
 4. Private *Harrison Shirk*, Company "G," 2d Cavalry.
 5. Private *Winfield S. Collins*, Company "H," 2d Cavalry.
 6. Private *John Larkin*, Company "A," 7th Infantry.
 7. Private *Richard Mullis*, Company "G," 2d Cavalry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 27, 1871.

GENERAL ORDERS, } No. 83. }

I. . Before a General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders No. 141, current series, from these headquarters, and of which Captain Ed. BALL, 2d Cavalry, is President, were arraigned and tried:

1st. Private *William H. Nash*, Company "F," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *William H. Nash*, Company 'F,' 2d Cavalry, having been duly enlisted in the service of the United States, as a soldier, did desert said service on the 14th day of April, 1871, and did remain

absent until apprehended and brought back on the 11th day of May, 1871. Thirty dollars (\$30.00) paid for apprehension. This at Fort Ellis, M. T., on or about the dates above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due, or that may become due him, except the just dues of the laundress; to be confined under charge of the guard, at hard labor, wearing a twenty-four (24) pound ball attached to his left leg with a chain two (2) feet long, for the period of one year, and at the expiration of that time to be dishonorably discharged from the service of the United States."

2d. Private *Henry Muller*, Company "A," 7th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *Henry Muller*, Company 'A,' 7th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on or about the 21st day of May, 1871, and did so remain absent until apprehended at or near Bozeman City, M. T., on the 10th day of June, 1871. Thirty dollars (\$30.00) paid for his apprehension."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due or that may become due him, except the just dues of the laundress; to be confined under charge of the guard, at hard labor, wearing a twenty-four (24) pound ball attached to his left leg with a chain two feet long, for the period of one year, and at the expiration of that time to be dishonorably discharged from the service of the United States."

3d. Private, late Sergeant, *David Benning*, Company "G,"
2d Cavalry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, Private, late Sergeant, *David Benning*, Company "G," 2d Cavalry, did sell, barter, exchange or give away a quantity of metallic centre-fire ammunition, (not issued to him,) to one Wilson, a citizen of Bozeman, M. T., the said ammunition being the property of the United States. This at Fort Ellis, Montana, on or about the 24th day of May, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "acquit him."

4th. Private *Harrison Shirk*, Company "G," 2d U. S. Cavalry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Harrison Shirk*, Company 'G,' 2d U. S. Cavalry, did feloniously steal, take, and carry away, with the intention of appropriating the same for his own use and benefit, one (1) Henry rifle and one hundred rounds of ammunition, (more or less,) the said rifle and ammunition being the private property of 2d Lieut. E. J. McClernand, 2d U. S. Cavalry. This at Fort Ellis, M. T., on or about the 28th day of April, 1871."

Specification II.—"In this, that he, Private *Harrison Shirk*, Company 'G,' 2d U. S. Cavalry, did feloniously steal, take, and carry away from the quarters of 2d Lieut. L. H. Jerome, 2d U. S. Cavalry, with the intention of appropriating the same for his own use and benefit, one pair of field glasses, the property of the said Lieut. L. H. Jerome. This at Fort Ellis, M. T., on or about the first day of February, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due, or which may become due, except the just dues of the laundry; to be dishonorably discharged the service, and to be confined in such penitentiary as the Commanding General may direct, for the period of three years."

5th. Private *Winfield S. Collins*, Company "H," 2d U. S. Cavalry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, Private *Winfield S. Collins*, Company "H," 2d U. S. Cavalry, having been properly detailed for room orderly, did become so drunk as to be unfit to perform said duty. This at Fort Ellis, M. T., on the 13th day of May, 1871."

Specification II.—"In this, that he, Private *Winfield S. Collins*, Company "H," 2d Cavalry, did strike Sergeant John B. Warren, Company "H," 2d Cavalry, he being in the execution of his duty as Sergeant of the Guard. This at Fort Ellis, M. T., on the 13th day of May, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows:

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Not Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars of his monthly pay for one month."

6th. Private *John Larkin*, Company "A," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *John Larkin*, Company 'A,' 7th Infantry, did strike, with intent to do him bodily harm, Sergeant *John Rafferty*, Co. 'A,' 7th Infantry, while he, Sergeant *Rafferty*, was in the execution of his duty. This at or near Fort Ellis, M. T., on or about May 25th, 1871."

Specification II.—"In this, that he, Private *John Larkins*, Company 'A,' 7th Infantry, did, without any provocation whatever, strike Private *George Nullans*, Company 'A,' 7th Infantry, with a curry-comb, while he, Private *Nullans*, was lying asleep in his bunk. This at or near Fort Ellis, M. T., on or about May 27th, 1871."

Specification III.—"In this, that he, Private *John Larkins*, Company 'A,' 7th Infantry, did throw his carbine and belts on the floor in the company quarters, in a very dis-

orderly manner. This at or near Fort Ellis, M. T., on or about May 27th, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows:

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Not Guilty."

To the 3d *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty, but attach no criminality thereto."

Of the 2d *Specification*—"Guilty, but attach no criminality thereto."

Of the 3d *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "acquit him."

7th. Private *Richard Mullis*, Company "G," 2d Cavalry.

CHARGE I.—"Desertion."

Specification—"In this, that he, Private *Richard Mullis*, Company 'G,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service, at or near Fort Ellis, M. T., on or about the 14th July, 1871, and did remain absent as a deserter until apprehended at or near Taylor's Bridge, Idaho Territory, on or about the 27th of August, 1871. All this at the places and on the dates above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Richard Mullis*, Company 'G,' 2d Cavalry, did take, steal, and carry away one horse, the property of the United States, for which Captain S. H. Norton, 2d Cavalry, is responsible. All this at or near Fort Ellis, M. T., on or about the 14th July, 1871."

Specification II.—"In this, that he, Private *Richard Mullis*, Company 'G,' 2d Cavalry, did take, steal, and carry away one saddle, one saddle blanket, one bridle, and one carbine, all of which were the property of the United States, and for which Captain S. H. Norton, 2d Cavalry, is responsible. All this at or near Fort Ellis, M. T., on or about the 14th of July, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."
 To the 1st CHARGE—"Not Guilty."
 To the 1st *Specification*, 2d Charge—"Not Guilty."
 To the 2d *Specification*, 2d Charge—"Not Guilty."
 To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."
 Of the 1st CHARGE—"Guilty."
 Of the 1st *Specification*, 2d Charge—"Guilty."
 Of the 2d *Specification*, 2d Charge—"Guilty."
 Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due, or that may become due him, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and to be confined in such penitentiary as the Department Commander may direct, for the period of four (4) years."

II..The proceedings, findings and sentences in the foregoing cases of Privates *William H. Nash*, Company "F," 2d Cavalry, and *Henry Muller*, Company "A," 7th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and acquittals in the cases of Privates *David Benning*, Company "G," 2d Cavalry, and *John Larkin*, Company "A," 7th Infantry, are approved. Orders have already been issued for their release from confinement and restoration to duty.

The proceedings, findings and sentences in the cases of Privates *Harrison Shirk* and *Richard Mullis*, Company "G," 2d Cavalry, are approved, and the sentences will be duly carried into execution. The Minnesota State Penitentiary at Stillwater, Minn., is designated as the place of confinement.

In the case of Private *Winfield S. Collins*, Company "H," 2d Cavalry, the proceedings are approved. The sentence is disapproved, it appearing by the evidence that the prisoner was drunk on duty, for which offence corporeal punishment only can be imposed. He will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *George W. Black*, Company "E," 7th Infantry.
 2. Private *John Fallon*, Company "E," 7th Infantry.
 3. Private *Thomas Carroll*, Company "K," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., September 28, 1871.

GENERAL ORDERS } No. 84.

I. Before a General Court Martial, which convened at Fort Shaw, M. T., by virtue of Special Orders No. 165, current series, from these headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried:

1st. Private *George W. Black*, Company "E," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, Private *George W. Black*, Company "E," 7th Infantry, did strike Sergeant John Harbison, Company "E," 7th Infantry, on his head, or face, while the said Sergeant Harbison was taking Private *Black* to the guard house, for behaving in a disorderly manner and creating a disturbance in the company mess-room. All this at Fort Benton, M. T., on or about the fourth day of July, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, but attach no criminality thereto."

Of the CHARGE—"Not Guilty."

And the Court does therefore "acquit him."

2d. Private *John Fallon*, Company "E," 7th Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this, that he, Private *John Fallon*, Company 'E,' 7th Infantry, was absent from Sunday morning inspection of his company without permission from proper authority, and did remain absent until arrested by the guard in the town of Benton, M. T. All this at or near Fort Benton, M. T., on or about the sixteenth of July, 1871."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this, that he, Private *John Fallon*, Company 'E,' 7th Infantry, having been arrested by the guard in the town of Benton, M. T., and while being taken to the guard-house at Fort Benton, M. T., did resist said guard, they being at the time in the proper performance of their duty. All this at or near Fort Benton, M. T., on or about the sixteenth of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To forfeit to the United States the sum of ten dollars."

3d. Private *Thomas Carroll*, Company "K." 7th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In that he, Private *Thomas Carroll*, Company 'K,' 7th Infantry, did feloniously take, steal, and carry away, with intent to appropriate to his own use, one pair of pantaloons, of the value of four and $\frac{1}{2}$ dollars, the property of Joseph McKnight, post trader. This at or near Fort Shaw, M. T., on the 10th of July, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit all pay and allowances now due or to become due, except the just dues of the laundress; to be dishonorably discharged the military service of the United States, and to be confined in such penitentiary as the Department Commander may direct, for the period of one year."

II..The proceedings, findings and acquittal in the case of Private *George W. Black*, Company "E," 7th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

In the case of Private *John Fallon*, Company "E," 7th Infantry, the proceedings, findings and sentence are approved. The sentence will be duly executed. Orders for his release from confinement and restoration to duty, have already been issued.

The proceedings, findings and sentence in the case of Private *Thomas Carroll*, Company "K," 7th Infantry, are approved. The sentence will be duly executed. The Minnesota State Penitentiary at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 30, 1871.

GENERAL ORDERS)
No. 85.)

All four-mule spring wagons now in the public service in this Department, not authorized in orders from these headquarters to be retained at designated posts for the use of Inspectors and Paymasters traveling on the public service, will be sold at public auction, after due notice, under the direction of the Chief Quartermaster of the Department.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. 1st Sergeant *Samuel Miles*, Company "K," 17th Infantry.
 2. Private *Theodore Grover*, Company "D," 17th Infantry.
 3. Private *James Mumford*, Company "G," 17th Infantry.
 4. Private *John Pearson*, Company "G," 17th Infantry.
 5. Private *Charles E. Dayton*, Company "D," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 4, 1871.

GENERAL ORDERS) No. 86.)

I., Before a General Court Martial, which convened at Fort Rice, D. T., by virtue of Special Orders No. 166, current series, from these Headquarters, and of which Captain L. H. SANGER, 17th Infantry, is President, were arraigned and tried:

1st. 1st Sergeant *Samuel Miles*, Company "K," 17th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this, that he, 1st Sergeant *Samuel Miles*, Company "K," 17th Infantry, did, in a state of intoxication, create a disturbance in the barracks of Company "K," 17th Infantry, by fighting with certain enlisted men of said Company. This at Fort Rice, D. T., on or about the 30th day of April, 1871."

Specification II.—"In this, that he, 1st Sergeant *Samuel Miles*, Company 'K,' 17th Infantry, did use abusive language towards, and threaten to shoot Sergeant Michael Moran, Company 'K,' 17th Infantry, the said Sergeant Moran being at the time carrying out the orders of 1st Lieutenant Charles H. Greene, Commanding Company 'K,' 17th Infantry, in keeping the said Sergeant *Miles* in his quarters. This at Fort Rice, D. T., on or about the 30th day of April, 1871."

Specification III.—"In this, that he, 1st Sergeant *Samuel Miles*, Company 'K,' 17th Infantry, being told by Sergeant Michael Moran, Company 'K,' 17th Infantry, to go inside of his quarters and behave, because the officers on the other side of the parade ground could see and hear him, made use of the following language, viz.: 'I don't care, they may go to hell, the drunken sons of bitches,' or words to that effect, and other highly disrespectful language, referring to the officers of the 17th Infantry, stationed at Fort Rice, D. T. This at or near Fort Rice, D. T., on or about the 30th day of April, 1871."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification I.—"In this, that he, 1st Sergeant *Samuel Miles*, Company 'K,' 17th Infantry, being placed in arrest, and ordered to remain in his quarters by 2d Lieutenant Robert Cairns, 17th Infantry, his superior officer, in the execution of his office, did disobey said order by leaving his quarters, and did remain out of his quarters until apprehended by a guard and placed in confinement. This at or near Fort Rice, D. T., on or about the 30th day of April, 1871."

Specification II.—"In this, that he, 1st Sergeant *Samuel Miles*, Company 'K,' 17th Infantry, being ordered by 1st Lieut. Charles H. Greene, 17th Infantry, his superior

officer, in the execution of his office, to remain in his quarters, did disobey said order by leaving the said quarters, and remained out of his quarters until apprehended by a guard and placed in confinement. This at or near Fort Rice, D. T., on or about the 30th day of April, 1871."

CHARGE III.—"Violation of the 6th Article of War."

Specification.—"In this, that he, 1st Sergeant *Samuel Miles*, Company 'K,' 17th Infantry, did behave himself with contempt and disrespect towards his Commanding Officer, 2d Lieut. Robert Cairns, 17th Infantry, and did use the following language towards him, to wit: 'You are no soldier. I am a better soldier than you are; you aint fit to bring a dog to the rear,' or words to that effect. This at or near Fort Rice, D. T., on or about the 30th day of April, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the 1st *Specification*, 1st Charge—"Guilty."

To the 2d *Specification*, 1st Charge—"Guilty."

To the 3d *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the 1st *Specification*, 2d Charge—"Guilty."

To the 2d *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

To the *Specification*, 3d Charge—"Guilty."

To the 3d CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 3d *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

Of the *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To be reduced to the rank of a private soldier, and to forfeit to the United States ten (10) dollars of his monthly pay for the period of three (3) months."

2d. Private *Theodore Grover*, Company "D," 17th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Theodore Grover*, Company 'D,' 17th Infantry, having been duly enlisted in the service of the United States, did desert the same at Fort Rice, D. T., on or about the 7th day of July, 1871, and did remain absent until apprehended near Fort Rice, D. T., July 9th, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Theodore Grover*, Company 'D,' 17th Infantry, did, on or about the 7th day of July, 1871, while absenting himself from his company and command at Fort Rice, D. T., feloniously take, steal, and carry away with him, one (1) canteen, one (1) haversack, one (1) tompon, and one (1) letter 'D.' These articles being the property of the United States, and for which his company commander, Captain Charles E. Clarke, 17th Infantry, was held responsible, he thereby defrauding the Government of the United States of the aforesaid articles of property. All this at Fort Rice, D. T., on or about the time above specified."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, and to forfeit all pay and allowances now due or that may become due, and to be confined at hard labor at such place as the Commanding General may direct, for the period of three years."

3d. Private *James Mumford*, Company "G," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that Private *James Mumford*, Company 'G,' 17th Infantry, having been duly enlisted in the service of the United States, did desert the said service at Fort Rice, D. T., on or about the 6th day of July, 1871, and did remain absent until arrested on or about the 7th day of July, 1871, near Isaiah's wood yard, D. T. Thirty (30) dollars paid for apprehension."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *James Mumford*, Company 'G,' 17th Infantry, did, on or about the 6th day of July, 1871, while absenting himself from his company and

command at Fort Rice, D. T., feloniously take, steal, and carry away with him, one (1) breech-loading rifled musket, one (1) gun-sling, and forty (40) rounds of ammunition, these articles being the property of the United States, for which his company commander, Captain L. H. Sanger, 17th Infantry, is responsible, and with the intention of defrauding the Government of the United States of the aforesaid articles of property. All this at Fort Rice, D. T., on or about the 6th day of July, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, and to forfeit all pay and allowances now due or that may become due, and to be confined at hard labor at such place as the Commanding General may direct, for the period of three (3) years."

4th. Private *John Pearson*, Company "G," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—“ In this, that he, Private *John Pearson*, Company ‘G,’ 17th Infantry, having been duly enlisted in the service of the United States, did desert the said service at Fort Rice, D. T., on or about the 6th day of July, 1871, and did remain absent until arrested on or about the 7th day of July, 1871, near Isaiah’s wood yard, D. T. Thirty (30) dollars paid for apprehension.”

CHARGE II.—“ Theft, to the prejudice of good order and military discipline.”

Specification.—“ In this, that Private *John Pearson*, Company ‘G,’ 17th Infantry, did, on or about the 6th day of July, 1871, while absenting himself from his company and command at Fort Rice, D. T., feloniously take, steal, and carry away with him, one (1) breech-loading rifled musket, one (1) gun-sling, and forty (40) rounds of ammunition: these articles being the property of the United States, for which his company commander, Captain L. H. Sanger, 17th Infantry, is responsible, and with the intention of defrauding the United States of the aforesaid articles of property. All this at Fort Rice, D. T., on or about the 6th day of July, 1871.”

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*, 1st Charge—“ Guilty.”

To the 1st CHARGE—“ Guilty.”

To the *Specification*, 2d Charge—“ Not Guilty.”

To the 2d CHARGE—“ Not Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“ Guilty.”

Of the 1st CHARGE—“ Guilty.”

Of the *Specification*, 2d Charge—“ Guilty.”

Of the 2d CHARGE—“ Guilty.”

SENTENCE.

"To be dishonorably discharged the service of the United States, and to forfeit all pay and allowances now due or that may become due, and to be confined at hard labor at such place as the Commanding General may direct, for the period of three (3) years."

5th. Private *Chas. E. Dayton*, Company "D," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Charles E. Dayton*, Company "D," 17th Infantry, having previously deserted and being in confinement awaiting trial for that crime, did escape from the guard-house, and did again desert from the military service of the United States, into which he had been duly enlisted, and did remain absent until apprehended at a place where he had secreted himself, near Fort Rice, D. T., on or about the 10th day of July, 1871. This at or near Fort Rice, D. T., on or about the time above specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, and to forfeit all pay and allowances now due or that

may become due, and to be confined at hard labor at such place as the Commanding General may direct, for the period of three (3) years."

II..The proceedings, findings and sentence in the foregoing case of 1st Sergeant *Samuel Miles*, Company "K," 17th Infantry, are approved, and the sentence will be duly executed.

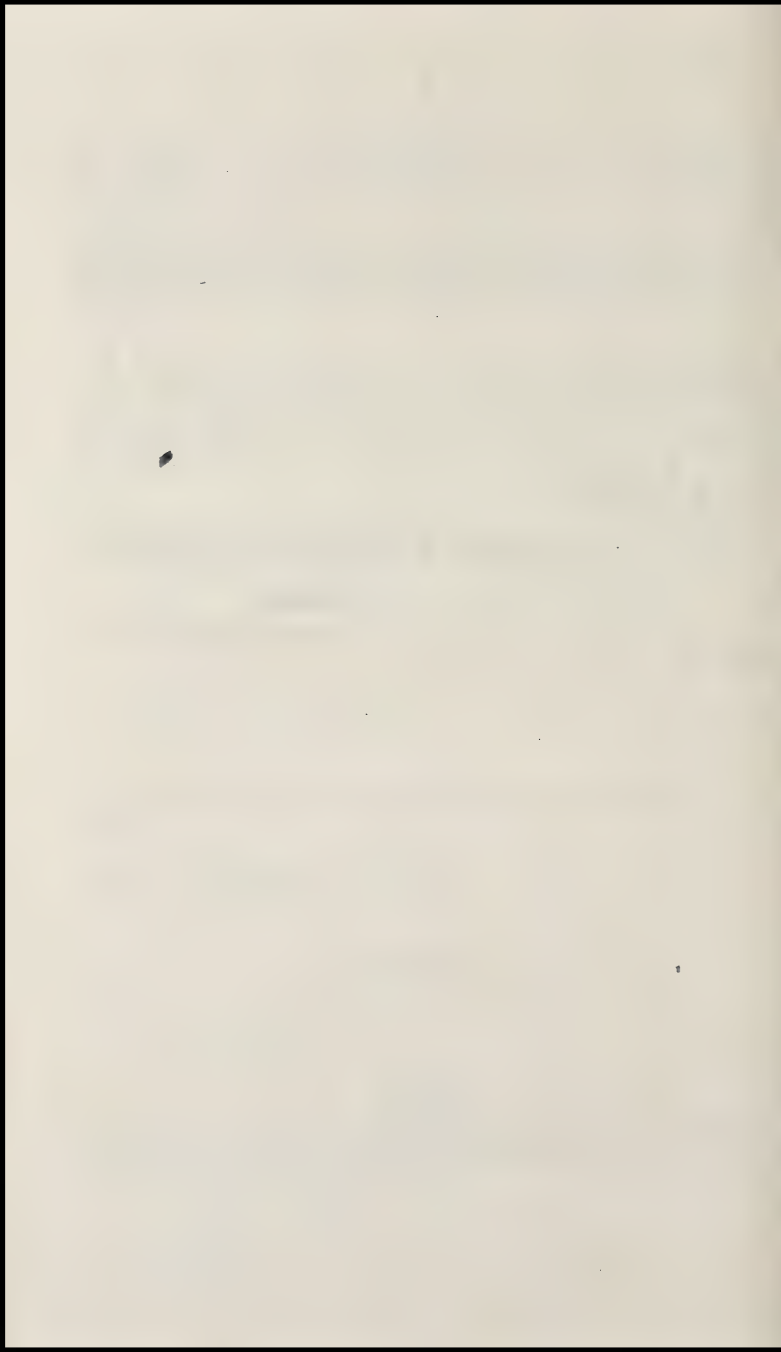
The proceedings, findings and sentences in the cases of Privates *Theodore Grover* and *Charles E. Dayton*, Company "D," 17th Infantry, and Privates *James Mumford* and *John Pearson*, Company "G," 17th Infantry, are approved, and the sentences will be duly executed. Fort Rice, D. T., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Recruit *Edward Narey*, Company "E," 20th Infantry.
 2. Private *Dennis Driscoll*, Company "C," 9th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA, *Saint Paul, Minn., October 6, 1871.*

GENERAL ORDERS, } No. 87. }

I. Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 185, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried :

1st. Recruit *Edward Narey*, Company "E," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Recruit *Edward Narey*, Company "E," 20th Infantry, a duly enlisted soldier in the service of the United States, having received a 'pass,' to be absent from the post of Fort Snelling, Minn., from the morning of August 25, until guard mount on the morning of August 27, 1871, did fail to return at the expiration of said 'pass,' and did desert the service, remaining absent until September 8, 1871, when he was brought from St Peter, Minn., by a non-commissioned officer sent after him. This at Fort Snelling, Minn."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, except the words, 'and did desert the service,' but attach no criminality thereto."

Of the CHARGE—"Not Guilty."

And the Court does therefore "acquit him."

2d. Private *Dennis Driscoll*, Company "C," 9th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Dennis Driscoll*, Company 'C,' 9th U. S. Infantry, a duly enlisted soldier, being on furlough to Omaha, Nebraska, from July 15th to 25th, 1871, did fail to report himself on the expiration of said furlough, thereby deserting the service of the United States."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty, except the words 'thereby deserting the service of the United States.'"

To the CHARGE—"Not Guilty, but guilty of absence without leave."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service, and to be confined at hard labor, at such military prison as the Department Commander may designate, for three years, wearing a ball and chain weighing twelve pounds."

II..The proceedings and findings in the case of Recruit *Edward Narey*, Company "E," 20th Infantry, are approved. He will be released from confinement and restored to duty.

In the case of Private *Dennis Driscoll*, Company "C," 9th Infantry, the proceedings, findings and sentence are approved. Upon the unanimous recommendation of the members of the Court, the sentence is mitigated to a forfeiture of all pay and allowances now due. As thus mitigated, the sentence will be duly executed. He will be released from confinement and returned to duty.

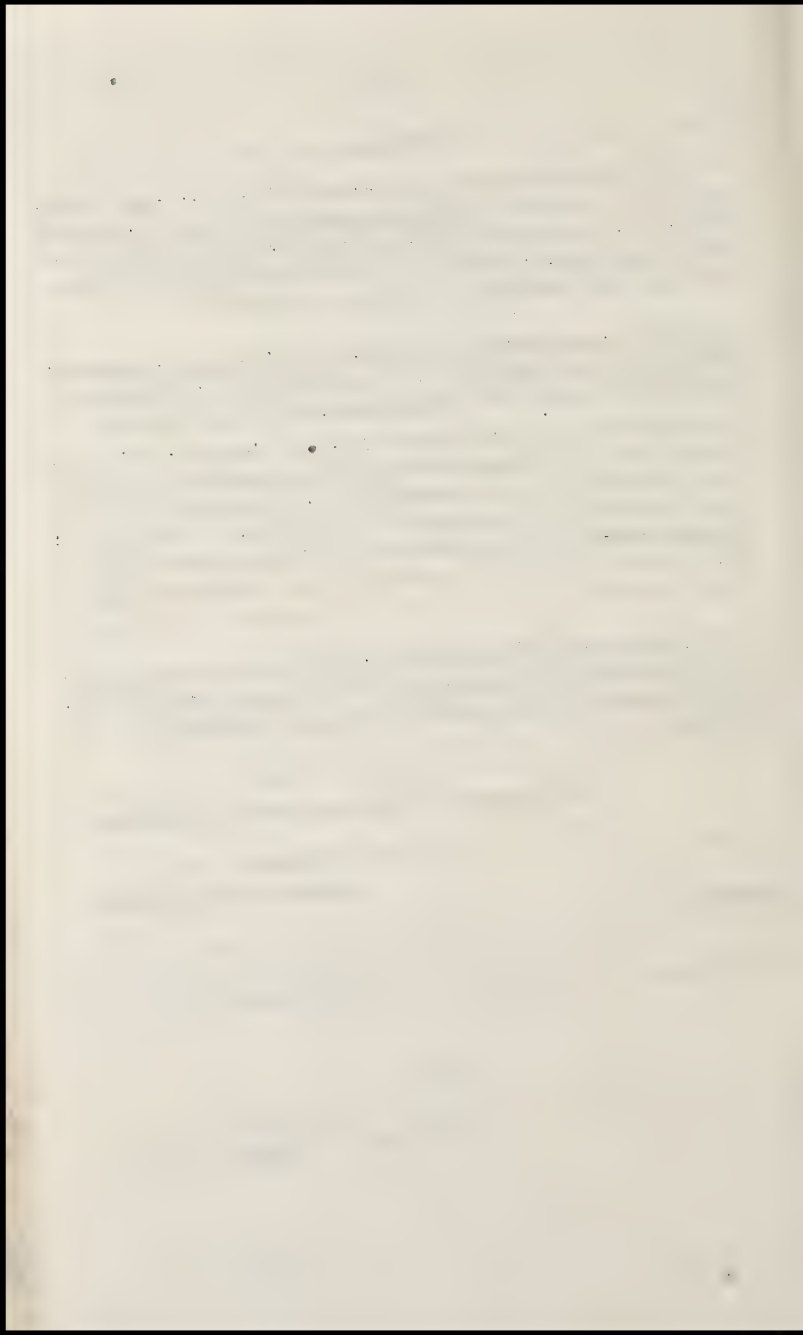
III..The General Court Martial, appointed by Special Orders No. 185, current series, from these headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Edward McMahon*, Company "H," 20th Infantry.
 2. Private *Millard Gardner*, Company "H," 20th Infantry.
 3. Private *John Kreahe*, Company "H," 20th Infantry.
 4. Private *Joseph Kelly*, Company "A," 20th Infantry.
 5. Private *Alfred Levy*, Company "H," 20th Infantry.
 6. Private *Henry Taylor*, Company "H," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 7, 1871.

GENERAL ORDERS, }
No. 88. }

I. . Before a General Court Martial, which convened at Fort Totten, D. T., by virtue of Special Orders No. 205, current series, from these headquarters, and of which Major J. E. YARD, 20th Infantry, is President, were arraigned and tried :

1st. Private *Edward McMahon*, Company "H," 20th Infantry.

CHARGE.—" Violation of the 50th Article of War."

Specification —" In this, that he, Private *Edward McMahon*, Company 'H,' 20th Infantry, while a member of the post guard at Fort Totten, D. T., duly mounted on the 30th day of July, 1871, did quit his guard without authority, about 9 o'clock p. m., on the 30th day of July, 1871, and

remain so absent until about 11.30 P. M. All this at Fort Totten, D. T., on or about the 30th day of July, 1871."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars of his monthly pay for three (3) months, and to be confined at hard labor, under charge of the post guard, for the period of thirty (30) days."

2d. Private *Millard Gardner*, Company "H," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Millard Gardner*, Company "H," 20th Infantry, did use insulting and abusive language towards Corporal Dennis Leonard, Company "H," 20th Infantry. This in a squad room of Company "H," 20th Infantry, at Fort Totten, D. T., on or about the 28th day of July, 1871."

Specification II.—"In this, that the said Private *Millard Gardner*, Company "H," 20th Infantry, having been arrested by Corporal Dennis Leonard, Company "H," 20th Infantry, and ordered to proceed with him to the guard-

house, did resist the arrest of the said Corporal Dennis Leonard, Company 'H,' 20th Infantry, and escape from him, failing to obey his order of arrest. This at Fort Totten, D. T., on or about the 28th day of July, 1871."

Specification III.—"In this, that the said Private *Millard Gardner*, Company 'H,' 20th Infantry, was drunk and disorderly. This at Fort Totten, D. T., on the 28th day of July, 1871."

To which CHARGE and *Specifications* the accused pleaded as follows :

To the 1st *Specification*—"Not Guilty."

To the 2d *Specification*—"Guilty."

To the 3d *Specification*—"Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the 3d *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars of his monthly pay for three (3) months, and to be confined at hard labor, under charge of the post guard, for the period of thirty (30) days."

3d. Private *John Kreahe*, Company "H," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that Private *John Kreahe*, Company 'H,' 20th Infantry, having been duly enlisted into the

military service of the United States, did desert the same on or about the 30th day of July, 1871, and did remain absent until apprehended near the camp of Indians near Fort Totten, D. T., on the 31st day of July, 1871. Thirty (30) dollars reward paid for his apprehension. This at Fort Totten, D. T., on or about the 30th day of July, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress; to be dishonorably discharged the service of the United States, and to be held at hard labor at such place as the Commanding General may direct, for the period of three (3) years."

4th. Private *Joseph Kelly*, Company "A," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Joseph Kelly*, Company "A," 20th Infantry, having been duly enlisted into the military service of the United States, did desert the same on or about the 30th day of July, 1871, and did remain absent until apprehended near the camp of Indians near Fort Totten, D. T., on the 31st day of July, 1871.

Thirty dollars reward paid for his apprehension. This at Fort Totten, D. T., on or about the 30th day of July, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due, except the just dues of the laundress ; to be dishonorably discharged the service of the United States, and to be held at hard labor at such place as the Commanding General may direct, for the period of three (3) years."

5. Private *Alfred Levy*, Company "H," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that Private *Alfred Levy*, Company 'H,' 20th Infantry, having been duly enlisted in the military service of the United States, did desert the same on or about the 30th day of July, 1871, and did remain absent until apprehended near the camp of Indians near Fort Totten, D. T., on the 31st day of July, 1871. Thirty dollars reward paid for his apprehension. This at Fort Totten, D. T., on or about the 30th day of July, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due, or that may become due, except the just dues of the laundry, and to be dishonorably discharged the military service of the United States, and to be held at hard labor at such place as the Commanding General may direct, for the period of three (3) years."

6th. Private *Henry Taylor*, Company "H," 20th Infantry.

CHARGE—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that Private *Henry Taylor*, Company 'H,' 20th Infantry, a member of the post guard, duly mounted, having been posted as sentinel in charge of a party of general prisoners on fatigue, did permit Private *John Callaghan*, Company 'H,' 20th Infantry, a general prisoner under charge of desertion, to escape. This at Fort Totten, D. T., on the 21st day of August, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars of his monthly pay for six (6) months, and to be confined at hard labor, under charge of the post guard, for the period of six (6) months."

II..The proceedings, findings and sentences in the cases of Privates *Edward McMahon*, *Millard Gardner*, and *Henry Taylor*, Company "H," 20th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings and sentences in the cases of Privates *John Kreahe* and *Alfred Lery*, Company "H," and *Joseph Kelly*, Company "A," 20th Infantry, are approved, and the sentences will be duly executed. Fort Totten, D. T., is designated as the place of confinement.

III..The General Court Martial appointed by Special Orders No. 205, current series, from these headquarters, and of which Major J. E. YARD, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 31, 1871.

GENERAL ORDERS }
No. 89. }

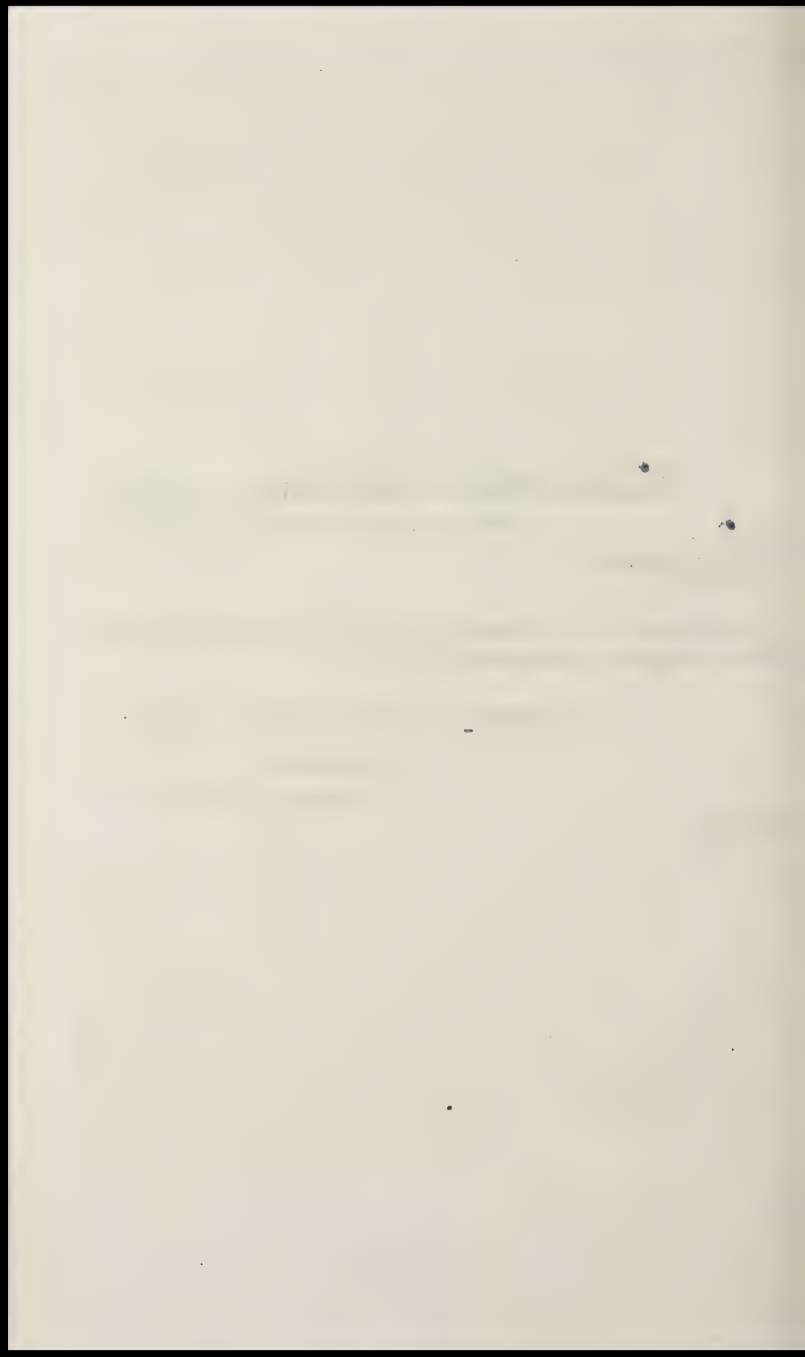
At his own request 2d Lieutenant *J. B. Rodman*, 20th Infantry, is hereby relieved from duty as Aide-de-Camp to the Department Commander.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Thomas Carr*, Company "D," 7th Infantry.
 2. Private *Charles Moore*, Company "D," 7th Infantry.
 3. Private *Jacob Bongni*, Company "F," 7th Infantry.
 4. Private *Isaac H. Fisher*, Company "F," 7th Infantry.
 5. Private *Louis B. Hammontree*, Company "I," 7th Inf'ty.
 6. Private *James Carrick*, Company "D," 7th Infantry.
 7. Private *John Murphy*, Company "D," 7th Infantry.
 8. Private *Charles J. Stuard* (late sergeant), Company "D," 7th Infantry.
 9. Private *Robert Ludgate*, Company "D," 7th Infantry.
 10. Private *Andrew Soffer* (late artificer), Company "F," 7th Infantry.
 11. Private *Charles Nugent*, Company "I," 7th Infantry.
 12. Private *Edward A. Wilson*, Company "I," 7th Infantry.
 13. Private *John A. Potter*, Company "I," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 9, 1871.

GENERAL ORDERS, }
No. 91. }

I. . Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders No. 185, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry. is President, were arraigned and tried :

1st. Private *Thomas Carr*, Company "D," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Thomas Carr*, of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert the same, at Fort Buford, D. T., on or about the 4th day of August, 1870, and did remain absent therefrom until apprehended at Sioux City, Iowa, on or about the 27th day of September, 1870. This at Fort Buford, D. T., on or about the dates above specified."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, during the remainder of his enlistment, and to forfeit to the United States all pay and allowances now due or that may become due, for the same period."

2d. Private *Charles Moore*, Company "D," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Charles Moore*, of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert the

same, at Fort Buford, D. T., on or about the 13th day of May, 1871, and did remain absent therefrom until apprehended on or about the 9th day of June, 1871, at or near Fort Stevenson, D. T., and brought back under guard as a deserter. This at Fort Buford, D. T., on or about the dates above specified."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor, in charge of the guard, during the remainder of his enlistment, and to forfeit to the United States all pay and allowances now due or that may become due, for the same period."

3d. Private *Jacob Bongni*, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, *Jacob Bongni*, a private of Company 'F,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, on or about the 22d day of May, 1871, and did remain absent until brought back under guard, on or about the 9th day of June, 1871. All this at Fort Buford, D. T."

CHARGE II.—"Violation of the 46th Article of War."

Specification.—"In this, that he, Private *Jacob Bongni*, of Company 'F,' 7th Infantry, having been duly detailed as a member of the guard, and duly posted over citizen prisoners, to wit: Peter D. Cole and William E. Batdorff, who were undergoing sentence of General Court Martial at the post, did, without being regularly relieved, leave his post. All this at Fort Buford, D. T., on or about the 22d day of May, 1871."

CHARGE III.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Jacob Bongni*, Company 'F,' 7th Infantry, did feloniously take, steal, and carry away, and appropriate to his own use, one (1) breech-loading Springfield rifled musket, cal. 50, model 1868, the property of the United States, and for which 2d Lieutenant William L. English, 7th Infantry, is responsible. All this at Fort Buford, D. T., on or about the 22d day of May, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

Of the *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due; to be indelibly marked upon the left hip with the letter 'D,' two and one half inches long; to be confined at hard labor, in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

4th. Private *Isaac H. Fisher*, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Isaac H. Fisher*, of Company 'F,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, on or about the 5th day of April, 1871, and did remain absent until brought back under guard, on or about the 1st day of July, 1871. All this at Fort Buford, D. T."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Isaac H. Fisher*, of Company 'F,' 7th Infantry, did feloniously take, steal, and carry away, and appropriate to his own use, one (1) Springfield breech-loading rifled musket, cal. 50, model of 1868, the property of the United States, and for which 2d Lieutenant William L. English, 7th Infantry, is responsible. All this at Fort Buford, D. T., on or about the 5th day of April, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty." -

To the *Specification*, 2d Charge—"Not Guilty."
 To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."
 Of the 1st CHARGE—"Guilty."
 Of the *Specification*, 2d Charge—"Guilty."
 Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due; to be indelibly marked upon the left hip with the letter 'D,' two and one-half inches long; to be confined at hard labor, in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

5th. Private *Louis B. Hammontree*, Company "I," 7th Inf'ty.

CHARGE I.—"Desertion."

Specification.—"In this, that he, *Louis B. Hammontree*, private of Company 'I,' 7th Infantry, being properly enlisted in the service of the United States, to serve for five years, did desert said service. This at Fort Buford, D. T., on or about May 13th, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Louis B. Hammontree*, of Company 'I,' 7th Infantry, did feloniously steal, take, and carry away, one Springfield rifled musket, model 1868, the property of the United States, with the intention of

applying the same to his own use. This at Fort Buford, D. T., on or about May 13th, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due; to be indelibly marked upon the left hip with the letter 'D,' two and one-half inches long; to be confined at hard labor, in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

6th Private *James Carrick*, Company "D," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *James Carrick*, of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Fort Buford, D. T., on or about the 8th day of July, 1871, and did remain absent therefrom until apprehended at about twelve miles from the post of Fort Buford,

D. T., while attempting to make his escape, and brought back as a deserter. Thirty dollars apprehension money paid. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

CHARGE II.—"Violation of the 9th Article of War."

Specification.—"In this, that he, Private *James Carrick*, of Company 'D,' 7th U. S. Infantry, on being discovered by Lieutenant R. W. Cummins, 7th Infantry, his superior officer, in attempting to desert the service of the United States, did raise his rifle and fire at Lieutenant Cummins and party, with a view to resist his, Lieutenant Cummins', authority to arrest him; Lieutenant R. W. Cummins, 7th U. S. Infantry, being at the time in the proper discharge of his duty, commanding a detachment in search of deserters. This at about twelve miles from Fort Buford, D. T., on or about the 9th day of July, 1871."

CHARGE III.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *James Carrick*, of Company 'D,' 7th U. S. Infantry, did feloniously take, steal, and carry away, with a view to appropriate to his own use, the following property of the United States, for which Captain Richard Comba, 7th U. S. Infantry, is responsible, viz.: one (1) Springfield breech-loading rifle, one (1) set of equipments (Infantry), and forty (40) rounds of ammunition. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

To the *Specification*, 3d Charge—"Not Guilty."

To the 3d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

Of the *Specification*, 3d Charge—"Guilty, excepting the words: 'one (1) set of equipments (Infantry), and forty (40) rounds of ammunition,' and of the excepted words. 'Not Guilty.'"

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now or that may become due him; to be indelibly marked upon the left hip with the letter 'D,' two and one-half inches long; to be confined at hard labor, in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

7th. Private *John Murphy*, Company "D," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *John Murphy*, of Company 'D,' 7th Infantry, being a duly enlisted soldier in the service of the United States, did desert said service, at Fort Buford, D. T., on or about the 8th day of July, 1871, and did remain absent therefrom until apprehended at about twelve miles from the post of Fort Buford, D. T. while attempting to make his escape, and brought back as

a deserter. Thirty dollars paid for his apprehension. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John Murphy*, of Company 'D,' 7th Infantry, did feloniously take, steal, and carry away, with a view to appropriate to his own use, the following property of the United States, for which Captain Richard Comba, 7th U. S. Infantry, is responsible, viz : one (1) Springfield breech-loading rifle, one (1) set of equipments (Infantry), and forty (40) rounds of ammunition. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty, excepting the words, 'did desert said service,' and substituting therefor the words, 'did absent himself without leave.'"

Of the 1st CHARGE—"Not Guilty, but Guilty of 'absence without leave.'"

Of the *Specification*, 2d Charge—"Not Guilty."

Of the 2d CHARGE—"Not Guilty."

SENTENCE.

"To forfeit to the United States ten dollars per month of his monthly pay for six months."

8th. Private (late sergeant) *Charles J. Stuard*, Company "D," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Sergeant *Charles J. Stuard*, of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service, at Fort Buford, D. T., on or about the 8th day of July, 1871, and did remain absent therefrom until apprehended at about twelve miles from the post of Fort Buford, D. T., while attempting to make his escape, and brought back as a deserter. Thirty dollars paid for his apprehension. This at Fort Buford, D. T., on or about the 8th day July, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Sergeant *Charles J. Stuard*, of Company 'D,' 7th Infantry, did feloniously steal, take, and carry away, with a view to appropriate to his own use, the following property of the United States, for which Captain Richard Comba, 7th U. S. Infantry, is responsible, viz : one (1) Springfield breech-loading rifle, one (1) set of equipments (Infantry), and forty (40) rounds of ammunition. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now or that may become due him; to be indelibly marked upon the left hip with the letter 'D,' two and one-half inches long; to be confined at hard labor, in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

9th. Private *Robert Ludgate*, Company "D," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Robert Ludgate*, of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Fort Buford, D. T., on or about the 8th day of July, 1871, and did remain absent therefrom until apprehended at about twelve miles from the post of Fort Buford, D. T., while attempting to make his escape, and brought back as a deserter. Thirty dollars paid for his apprehension. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Robert Ludgate*, of Company 'D,' 7th U. S. Infantry, did feloniously steal, take, and carry away, with a view to appropriate to his

own use, the following property of the United States, for which Captain Richard Comba, 7th U. S. Infantry, is responsible, viz.: one (1) Springfield breech-loading rifle, one (1) set of equipments (Infantry), and forty (40) rounds of ammunition. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty, excepting the words, 'one (1) set of equipments (Infantry.)' and of the excepted words, 'Not Guilty.'"

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due him; to be indelibly marked upon the left hip with the letter 'D,' two and one half inches long; to be confined at hard labor, in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

10th. Private (late artificer) Andrew Soffer, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Artificer *Andrew Soffer*, Company 'F,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, and did remain absent until brought back under guard, on or about the 9th day of July, 1871. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Andrew Soffer*, artificer of Company 'F,' 7th Infantry, did feloniously take, steal, and carry away, and appropriate to his own use, one (1) Springfield breech-loading rifled musket, the property of the United States, for which 2d Lieutenant William L. English, 7th Infantry, is responsible. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows :

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now or that may become due him ; to be indelibly marked upon the left hip with the letter 'D,' two and one-half inches long ; to be

confined in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

11th. Private *Charles Nugent*, Company "I," 7th Infantry.

CHARGE I—"Desertion."

Specification—"In this, that he, Private *Charles Nugent*, Company 'I,' 7th Infantry, having been duly enlisted into the service of the United States, did desert said service, on or about the 8th day of July, 1871, and did not return until apprehended, at or near the hay field, about 8 miles from the post of Fort Buford, D. T., on the 9th day of July, 1871. This at Fort Buford, D. T."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Charles Nugent*, Company 'I,' 7th Infantry, did feloniously take, steal, carry away, and appropriate to his own use, the following named property of the United States, viz.: one (1) Springfield breech-loading rifled musket and forty (40) rounds of ammunition, for which Captain Charles C. Rawn, 7th Infantry, was responsible. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due him; to be indelibly marked upon the left hip with the letter 'D,' two and one-half inches long; to be confined in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

12th. Private *Edward A. Wilson*, Company "I," 7th Inf'ty.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *Edward A. Wilson*, Company 'I,' 7th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same, on or about the 8th day of July, 1871, and did not return until apprehended, at or near the hay field, about 8 miles from the post of Fort Buford, D. T., on the 9th day of July, 1871. This at Fort Buford, D. T."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Edward A. Wilson*, Company 'I,' 7th U. S. Infantry, did feloniously take, steal, carry away, and appropriate to his own use, the following named property of the United States, viz.: one (1) Springfield breech-loading rifled musket and forty (40) rounds of ammunition, for which Captain Charles C. Rawn.

7th Infantry, was responsible. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or to become due him; to be indelibly marked upon the left hip with the letter 'D,' two and one-half inches long; to be confined in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

13th. Private *John A. Potter*, Company "I," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *John A. Potter*, Company 'I,' 7th Infantry, having been duly enlisted into the service of the United States, did desert said ser-

vice, on or about the 8th day of July, 1871, and did not return until apprehended, at or near the hay field, about 8 miles from the post of Fort Buford, D. T., on the 9th day of July, 1871. This at Fort Buford, D. T."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *John A. Potter*, Company 'I,' 7th U. S. Infantry, did feloniously steal, take, carry away, and appropriate to his own use, the following named property of the United States, viz.: one (1) Springfield breech-loading rifled musket and forty (40) rounds of ammunition, for which Captain Charles C. Rawn, 7th Infantry, was responsible. This at Fort Buford, D. T., on or about the 8th day of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due, or that may become due him; to be indelibly marked upon the left hip with the letter 'D,' two and one-half inches long; to be

confined at hard labor, in such prison as the Commanding General may designate, until the expiration of the period for which he enlisted; and then to have his head shaved, and be dishonorably discharged and drummed out of the service."

II.. The proceedings, findings and sentences in the cases of Privates *Thomas Carr* and *Charles Moore*, Company "D," 7th Infantry, are approved, and the sentences will be duly executed. The sentences in these cases involve a dishonorable discharge at the expiration of the prisoners' terms of service and confinement.

The proceedings, findings and sentences in the following cases are approved: Privates *James Carrick*, *Charles J. Stuard*, and *Robert Ludgate*, Company "D," Privates *Jacob Bongni*, *Isaac H. Fisher*, and *Andrew Soffer*, Company "F," and Privates *Louis B. Hammontree*, *Charles Nugent*, *Edward A. Wilson*, and *John A. Potter*, Company "I," 7th Infantry.

In the cases of Privates *Charles J. Stuard* and *Robert Ludgate*, Company "D," *Jacob Bongni* and *Isaac H. Fisher*, Company "F," *Louis B. Hammontree*, *Edward A. Wilson*, and *John A. Potter*, Company "I," 7th Infantry, the sentences will be duly executed, except so much thereof as relates to indelibly marking the prisoners with the letter "D," and shaving their heads, which is remitted. Fort Buford, D. T., is designated as the place of confinement.

In the cases of Privates *James Carrick*, Company "D," *Andrew Soffer*, Company "F," and *Charles Nugent*, Company "I," 7th Infantry, a recommendation to clemency has been received, signed by a majority of the officers constituting the detail of the General Court Martial, before which these men were tried, and in compliance therewith the sentences in these cases, except so much as forfeits all pay and allowances now due, are remitted. They will be released from confinement and restored to duty.

The proceedings, findings and sentence in the case of Private *John Murphy*, Company "D," 7th Infantry, are approved.

The sentence is mitigated to a forfeiture of ten dollars of his monthly pay, for three months. As thus mitigated, the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 10, 1871.

GENERAL ORDERS, }
No. 92. }

The following instructions of the Honorable Secretary of War, dated October 31, 1871, are published for the information and guidance of post commanders and others concerned, within the limits of this Department :

“Contractors for fuel will not be allowed, after this date, the privilege of cutting timber on the military reservations.”

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 12, 1871.

GENERAL ORDERS, }
No. 93. }

Major *A. H. Seward*, Paymaster, U. S. A., having reported at these headquarters, in compliance with paragraph 5, Special Orders No. 405, current series, War Department, Adjutant General's Office, is hereby announced as Chief Paymaster of the Department.

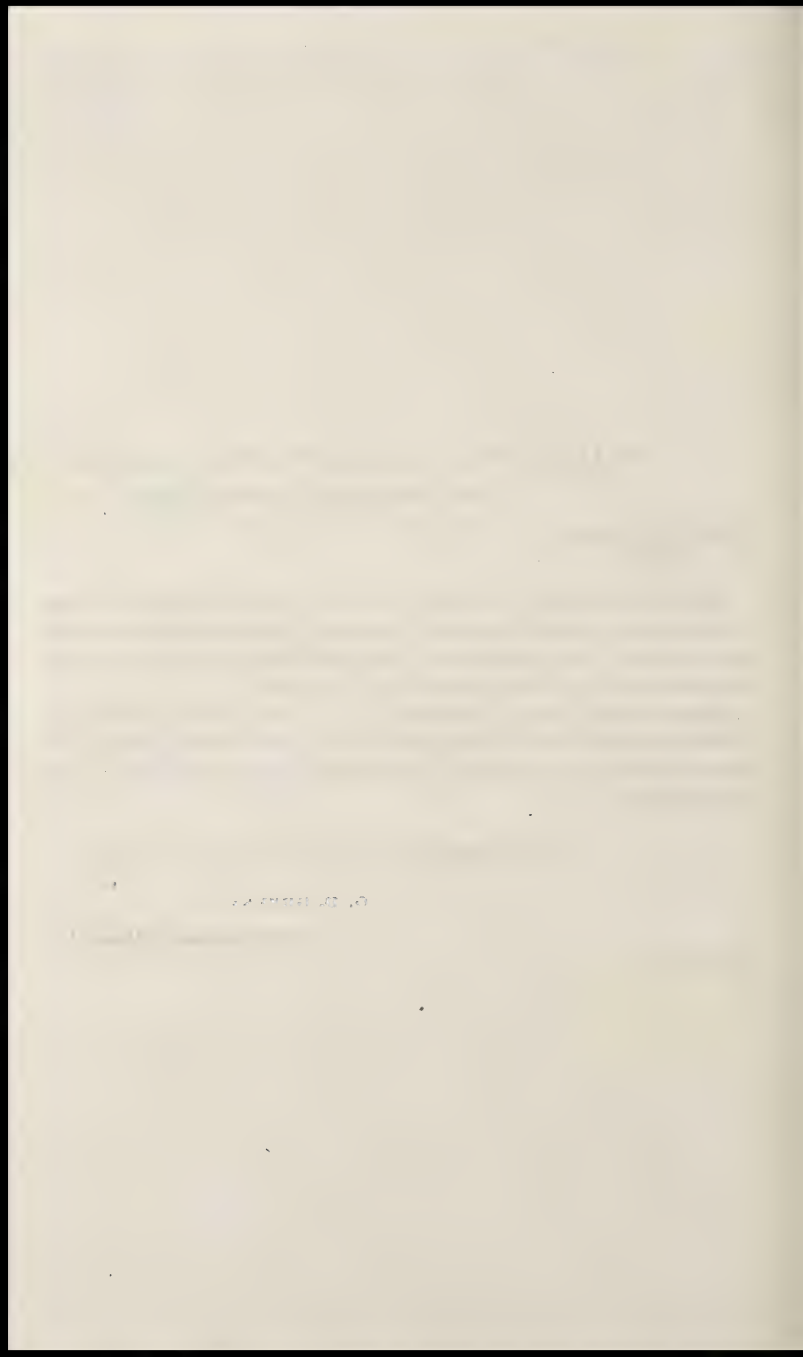
Major *Rodney Smith*, Paymaster, U. S. A., and Acting Chief Paymaster, will turn over to Major *Seward* all public funds, property, instructions, &c., &c., pertaining to the office of Chief Paymaster of this Department.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 16, 1871.

GENERAL ORDERS, }
No. 94. }

Post Commanders will, in future, report without delay to these Headquarters the names of any prisoners who may escape from confinement at their posts, whilst awaiting trial by, or undergoing the sentence of a General Court Martial—giving the date of escape, and such other information in relation thereto as they may deem of importance.

If it has not already been done they will, upon the receipt of this order, make the required report with regard to any prisoners who may have heretofore escaped from confinement under the sentence of a General Court Martial, provided their sentences covered a term which would still leave them in confinement had they not escaped.

When charges have been ordered for trial by General Court Martial, but, on account of the prisoner's escape, discharge, death, or other reason, can not be tried, they will invariably be returned by the Judge Advocate of the court to these headquarters, with a statement of the facts which rendered the trial impossible.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Artificer *Henry C. Aaron*, Company "H," 17th Infantry.
 2. Sergeant *William Crites*, Company "G," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 24, 1871.

GENERAL ORDERS, } No. 95.

I. . Before a General Court Martial, which convened at Fort Rice, D. T., by virtue of Special Orders No. 166, current series, from these Headquarters, and of which Captain L. H. SANGER, 17th Infantry, is President, were arraigned and tried :

1st. Artificer *Henry C. Aaron*, Company "H," 17th Infantry.

CHARGE.—"Larceny, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Artificer *Henry C. Aaron*, Company 'H,' 17th Infantry, did feloniously take, steal, and carry away with him a certain sum of money, to wit : Two hundred and thirty-six dollars (\$236.00), more or less, the property of Charles E. Dayton, a deserter, in confinement at Fort Rice, D. T., and did fail and refuse to produce the same when required so to do, but did appropriate the same to his own use. This at Fort Rice, D. T., on or about the 9th day of July, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "acquit him."

2d. Sergeant *William Crites*, Company "G," 17th Infantry.

CHARGE I—"Desertion."

Specification.—"In this, that Sergeant *William Crites*, Company 'G,' 17th Infantry, having been duly enlisted in the service of the United States, did desert the said service at Fort Rice, D. T., on or about the 20th day of May, 1871, and did remain absent until arrested at or near the Grand River Agency, D. T., on or about the 22d day of May, 1871. (Thirty dollars (\$30) being paid for such apprehension.)

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that Sergeant *William Crites*, Company 'G,' 17th Infantry, did, while absenting himself from his company and command, at Fort Rice, D. T., feloniously take, steal, and carry away with him, one (1) Springfield breech-loading rifled musket, (1) one gun sling, and (20) twenty rounds of ammunition, these articles being the property of the United States, for which Captain Louis H. Sanger, 17th Infantry, is responsible, and with the intention of defrauding the Government of the United

States of the aforesaid articles of property. All this at Fort Rice, D. T., on or about the 20th day of May, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—" Guilty."
 To the 1st CHARGE—" Guilty."
 To the *Specification*, 2d Charge—" Not Guilty."
 To the 2d CHARGE—" Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty."
 Of the 1st CHARGE—" Guilty."
 Of the *Specification*, 2d Charge—" Guilty."
 Of the 2d CHARGE—" Guilty."

SENTENCE.

" *To forfeit to the United States all pay and allowances now due or that may become due: to be dishonorably discharged from the service of the United States, and to be confined in such penitentiary as the Commanding General may direct, for the period of four years.*"

11.. The proceedings, findings and acquittal in the foregoing case of Artificer *Henry C. Aaron*, Company "H," 17th Infantry, are approved. He will be released from confinement and restored to duty.

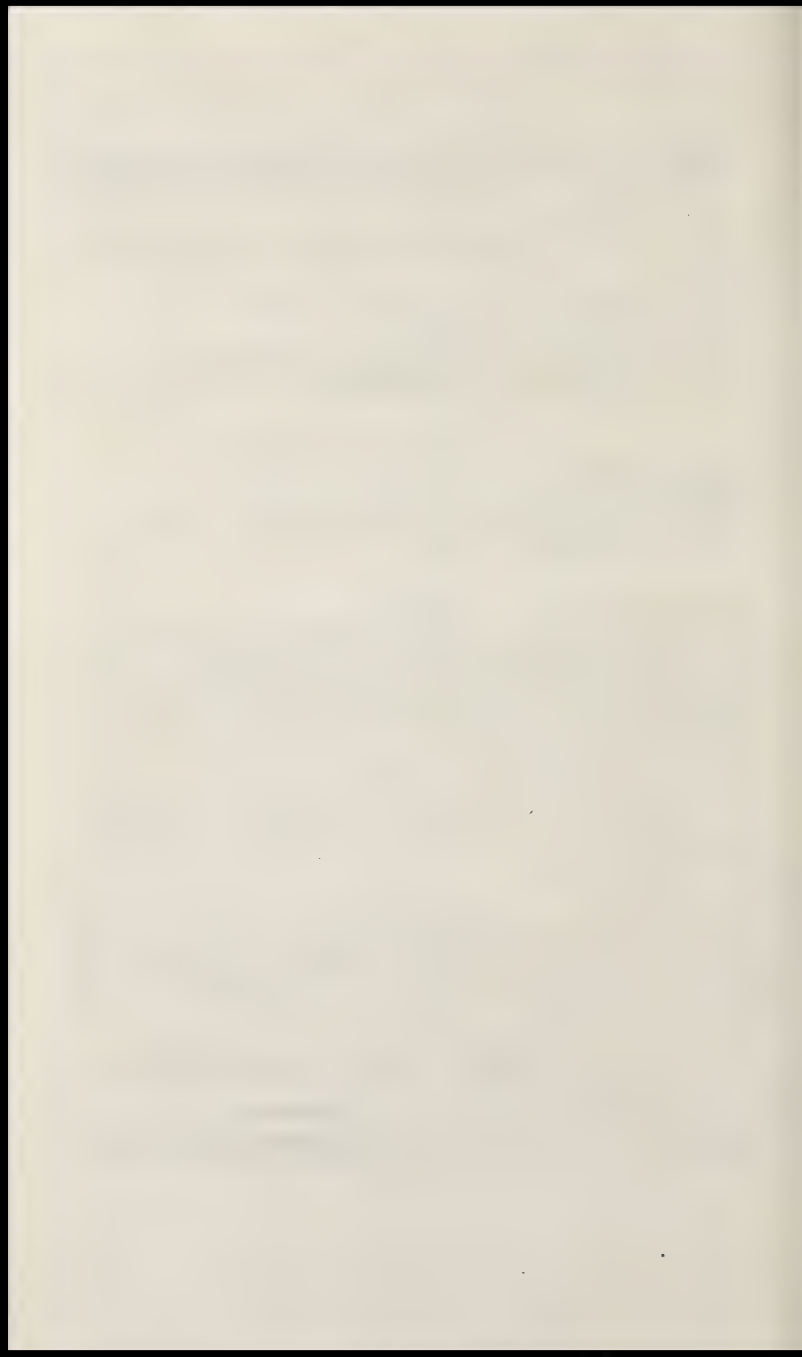
In the case of Sergeant *William Crites*, Company "G," 17th Infantry, the proceedings, findings and sentence are approved. The sentence will be duly executed. The Minnesota State Penitentiary at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *James Rorke*, Company "F," 2d Cavalry.
 2. Private *John Cochran*, Company "A," 7th Infantry.
 3. Private *Geo. H. Ashforth*, Company "L," 2d Cavalry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 25, 1871.

GENERAL ORDERS }
No 96. }

I., Before a General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders No. 141, current series, from these Headquarters, and of which Captain LEWIS THOMPSON, 2d Cavalry, is President, were arraigned and tried:

1st. Private *James Rorke*, Company "F," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *James Rorke*, Company "F," 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert said service on the 24th day of May, 1871, and did remain absent until apprehended at Crow Creek, M. T., on the 26th day of May, 1871. Thirty dollars (\$30.00) paid for apprehension."

To which CHARGES and *Specifications* the prisoner pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due him or that may become due him, excepting the just dues of the laundress, and to be confined under charge of the guard at the post where his company may be serving, for the period of one year, wearing a twenty-four pound ball attached to his left leg by a chain four (4) feet long, and at the expiration of that time to be dishonorably discharged from the service of the United States."

2d. Private *John Cochran*, Company "A," 7th Infantry.

CHARGE—"Desertion."

Specification.—"In this, that he, Private *John Cochran*, Company "A," 7th Infantry, having been duly enlisted in the service of the United States, did desert the same on or about the 17th day of August, 1871, and did remain so absent until apprehended at or near Bozeman, M. T., on or about the 19th day of August, 1871. This at Fort Ellis, M. T., on or about the 17th day of August, 1871. Thirty dollars (\$30.00) reward paid for apprehension."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, excepting of the words '*did desert the same*,' substituting therefor the words '*did absent himself without leave from his company and post*,'—of the excepted words, Not Guilty."

Of the *CHARGE*—"Not Guilty of '*desertion*,' but guilty of '*absence without leave*.'"

SENTENCE.

"To be confined under charge of the post guard for the period of one (1) month."

3d. Private *George H. Ashforth*, Company "L," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *George H. Ashforth*, Company "L," 2d Cavalry, a duly enlisted soldier of the United States, did, at Fort Ellis, M. T., on the night of the 18th of September, 1871, desert the said service, and remain absent until apprehended at or near Cherry Creek, M. T., on or about the 20th day of September, 1871."

CHARGE II.—"Violation of the 50th Article of War."

Specification.—"In this, that he, Private *George H. Ashforth*, Company "L," 2d Cavalry, a duly mounted member of the post guard, did quit his guard without urgent necessity, or the leave of his superior officer. This at Fort Ellis, M. T., on the evening of the 18th of September, 1871."

CHARGE III.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *George H. Ashforth*, Company "L," 2d Cavalry, a duly enlisted soldier of the

United States, did feloniously take, steal, and carry away one (1) Sharp's carbine, the property of the United States, and for which Captain Lewis Thompson, 2d Cavalry, is responsible. This at Fort Ellis, M. T., on the 18th day of September, 1871."

CHARGE IV.—"Conduct to the prejudice of good order and military discipline."

Specification —"In this, that he, Private *George H. Ashforth*, Company 'L,' 2d Cavalry, a duly enlisted soldier of the United States, being a member of the post guard at Fort Ellis, M. T., did allow (2) two prisoners under his immediate charge to escape. This at Fort Ellis, M. T., on the night of the 18th of September, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

To the *Specification*, 3d Charge—"Guilty."

To the 3d CHARGE—"Guilty."

To the *Specification*, 4th Charge—"Guilty."

To the 4th CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

Of the *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

Of the *Specification*, 4th Charge—"Guilty."

Of the 4th CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due, or that may become due him, excepting the just dues of the laundress: to be dishonorably discharged from the service of the United States, and to be confined in such penitentiary as the Department Commander may designate, for the period of five (5) years."

II..The proceedings, findings and sentences in the foregoing cases of Private *James Rorke*, Company "F," 2d Cavalry, and Private *John Cochran*, Company "A," 7th Infantry, are approved. The sentences will be duly executed.

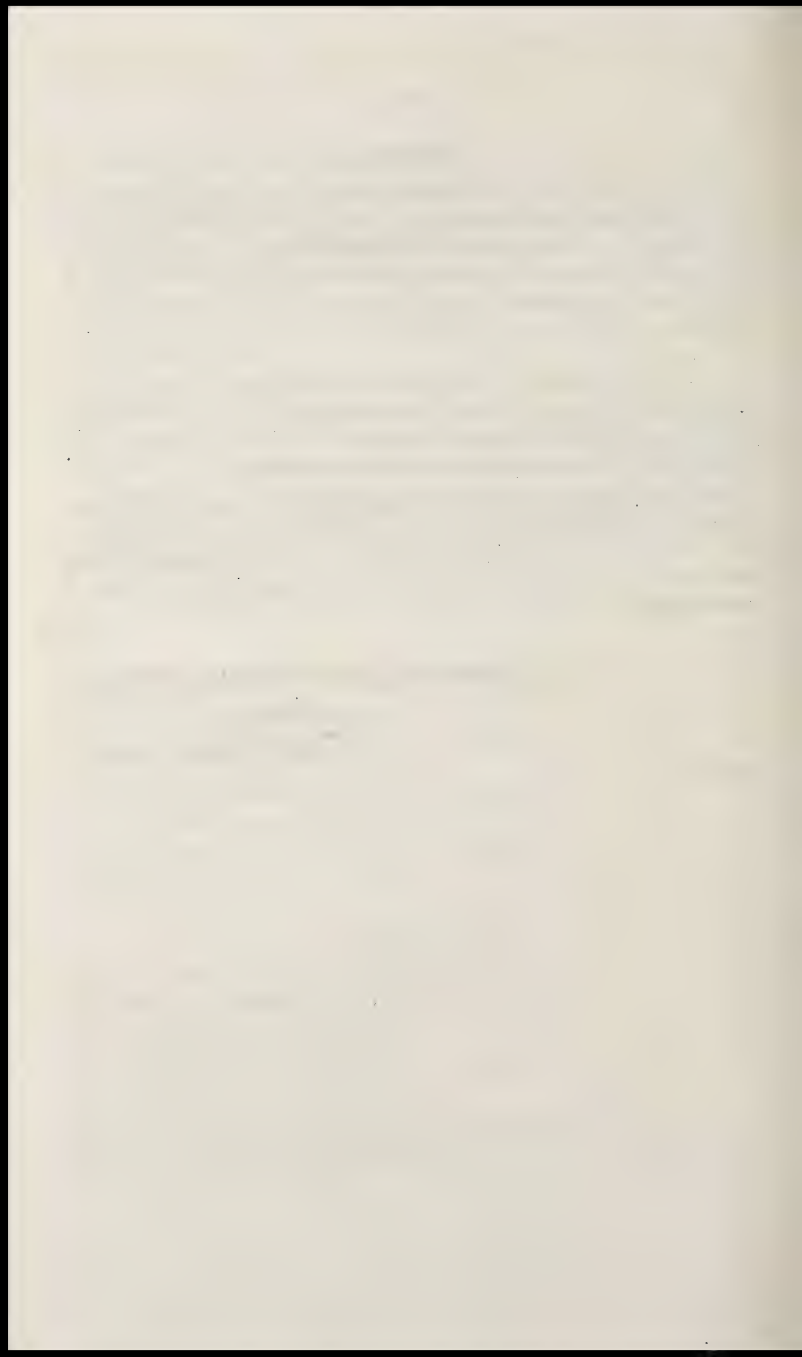
The proceedings, findings and sentence in the case of Private *George H. Ashforth*, Company "L," 2d Cavalry, are approved. The sentence will be duly executed. The Minnesota State Penitentiary at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Private *William F. Langdon*, Company "D," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., November 26, 1871.

GENERAL ORDERS }
No. 97. }

I..Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders No. 185, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, was arraigned and tried :

Private *William F. Langdon*, Company "D," 7th Infantry.

CHARGE — "Desertion."

Specification.—"In this, that he, Private *William F. Langdon*, Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Fort Buford, D. T., on or about the 17th day of May, 1871, and did remain absent therefrom until he was apprehended at or near Fort Stevenson, D. T., and brought back, under guard, to this post. This at Fort Buford, D. T., on or about the date above specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, excepting the words '*apprehended at or near Fort Stevenson, D. T., and,*' and of the excepted words, '*Not Guilty.*'"

Of the *CHARGE*—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances now due or that may become due; to be confined at hard labor, in charge of the guard, at such military prison as the Commanding General may designate, for the remainder of his term of enlistment, and then to be dishonorably discharged and drummed out of the service."

II..In the foregoing case of Private *William F. Langdon*, Company "D," 7th Infantry, there appears to be an insufficiency of evidence. The prisoner rests his defence upon the proof of certain facts, going very far to show that he did not voluntarily absent himself from his post, and had not the intention of remaining absent, which is necessary to constitute the crime of desertion. On the other hand, there is no evidence throwing any light upon the circumstances of his apprehension. The only material fact established is, that he was absent without leave from a certain date.

The word "desertion," as used by the witness for the prosecution, with reference to the prisoner's absenteeism, can not be construed in its technical signification, viz: absence with the *animus* of not returning, and can convey no other meaning than that he was absent without having obtained permission. The gist of the offence—the intention not to return—is a presumption growing out of the facts established, but against which, in this particular case, the evidence adduced in defence is believed very strongly to militate.

In the opinion of the Major General Commanding, therefore, the prisoner is entitled to the benefit of the doubt which has arisen. This doubt might have been removed had evidence been received as to the circumstances of the prisoner's apprehension, but it is now too late to remedy the omission. The findings and sentence are, accordingly, disapproved. Private *Langdon* will be released from confinement and restored to duty.

The record in this case shows that one member was absent, but assigns no reason therefor. Such omissions should not occur. Either the record must contain evidence that the Court sat with the full number of members which the convening authority deemed necessary, or it must show in what manner, and by what cause the number was reduced, in order that the reviewing authority may decide as to the propriety of the Court's transacting business with a less number.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 27, 1871.

GENERAL ORDERS, {
No. 98. }

In accordance with instructions from Headquarters Military Division of the Missouri, General Orders No. 92, current series, from these Headquarters, are hereby so modified as to exclude from the operations of the instructions of the Honorable Secretary of War, therein promulgated, existing contracts for fuel for the current fiscal year.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 28, 1871.

GENERAL ORDERS) No. 99. (

General Orders No. 11, series of 1870, from these Headquarters, are hereby revoked, and the following list of Returns and Reports required by the Chief Quartermaster of the Department, from officers in this command doing duty in the Quartermaster's Department, is published for the information of all concerned. The Returns and Reports mentioned are to be transmitted, *addressed* to the Chief Quartermaster.

MONTHLY.

(To be transmitted within ten days after the month to which they relate.)

Account Current.

Report of Persons and Articles hired, (to include the information heretofore contained in Report Form 8,) in accordance with General Orders No. 64, current series, War Department, Adjutant General's Office, new Form 1.

List of Persons and Articles employed, hired and transferred, new Form 2, (when necessary.)

Roll of enlisted men employed on extra duty.

Personal Report.

Abstract of Transportation orders.

Estimate of funds, three months in advance, separate for each month, one copy.

Report of progress on National Cemeteries.

Copies of all orders affecting the Quartermaster's Department, issued at the post.

QUARTERLY.

(To be transmitted within twenty days after the quarter to which they relate.)

Consolidated report of all Government troops and stores transported, new Form 4.

Statement of Payments made on account of transportation.

Report of buildings in process of construction.

Quarterly Return of Quartermaster's stores, new Form 27.

Abstract "I." Articles sold, expended, &c., new Form 38.

The requirements of Department General Orders No. 8, series of 1870, are in nowise affected by the provisions of the Orders herein promulgated.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1st Lieutenant *Alexander Wishart*, 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 2, 1871.

GENERAL ORDERS }
No. 100. }

I. . Before a General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 240, current series, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, was arraigned and tried :

1st Lieutenant *Alexander Wishart*, 20th Infantry.

CHARGE.—“Conduct to the prejudice of good order and military discipline.”

Specification —“ In this, that he, 1st Lieutenant *Alexander Wishart*, 20th Infantry, did, while *en route* from Fort Wadsworth, D. T., to Fort Ransom, D. T., unnecessarily abuse one (1) four (4) mule team and one (1) horse, the property of the United States, by over-driving the same the whole distance of sixty-five (65) miles in one day, to the injury of the above mentioned animals, and to the prejudice of good order and military discipline. This while *en route* from the post of Fort Wadsworth, D. T., to Fort Ransom, D. T., on or about the 19th day of August, 1871.”

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, except the words '*abuse*' and '*over-driving*,' and substituting for the former word '*drive*,' and for the latter the word '*traveling*,' and also excepting the words '*of sixty-five (65) miles*,' and '*to the injury of the above mentioned animals, and to the prejudice of good order and military discipline*,' and of the excepted words '*Not Guilty*.'"

Of the CHARGE—"Not Guilty."

And the Court does therefore "acquit him."

II..Omitting that portion of the specification of which the accused was found "Not Guilty," it reads as follows:

"In this, that he, 1st Lieutenant *Alexander Wishart*, 20th Infantry, did, while *en route* from Fort Wadsworth, D. T., to Fort Ransom, D. T., unnecessarily drive one (1) four (4) mule team and one (1) horse, the property of the United States, by traveling the same the whole distance in one day. This while *en route* from the posts of Fort Wadsworth, D. T., to Fort Ransom, D. T., on or about the 19th day of August, 1871."

Of the facts as thus set forth the accused was convicted, but he was nevertheless acquitted of the charge of "Conduct to the prejudice of good order and military discipline."

The opinion of the Court, as indicated in these findings, appeared to be so untenable, that the proceedings were returned to the Court, and its attention invited to the inconsistency of acquitting the accused of any military offence, after finding that he had "*unnecessarily*" driven public animals from Fort Wadsworth, D. T., to Fort Ransom, D. T., a distance, as appeared in evidence, of over 61 miles, in 12½ hours.

That this was found to have been "*unnecessarily*" done, is

of itself proof that, even in the opinion of the Court, there were no circumstances justifying more than ordinary speed.

The Court having, however, determined to adhere to its findings and acquittal, it only remains for the Major General Commanding to express his decided dissent from the opinion, as thus expressed, that the rate of travel was a proper one. In common with the Court, he has failed to discover anything in the evidence tending to show that in this case there was any necessity for unusual haste.

The opinion of this Court must not be construed as a justification of similar abuses or misuses of public animals—nor the inference be drawn that the findings of other Courts, in like cases, will be made to conform to those in the case under consideration. It is highly improbable that any other Court would adopt the same views, and it would therefore be an unsafe precedent to look to for protection against responsibility for over-driving public animals, and an equally unsafe impression to receive and act upon, that 61 miles in $12\frac{1}{2}$ hours is a proper rate of speed, under ordinary circumstances, for a spring wagon drawn by mules.

Whenever, in future, it may be brought to the attention of the Commanding General that officers entrusted with the charge of spring wagons and their teams, have, without good reason therefor, driven them, or suffered them to be driven, at a greater rate of speed than is usual and proper under ordinary circumstances, this will be considered as proof of the fact that such officers are not sufficiently careful of the public interests in this particular, and the spring wagons and public animals which have been thus misused will be withdrawn from the posts to which they belong.

The findings and acquittal in this case are disapproved. Lieutenant *Wishart* will be released from arrest and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. 1st Lieutenant *Rodney M. Taylor*, 20th Infantry.
 2. Private *Patrick Hogan*, Company "F," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 4, 1871.

GENERAL ORDERS, { No. 101. }

1. Before a General Court Martial, which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 240, current series, from these Headquarters, and of which Lieutenant Colonel L. C. Hunt, 20th Infantry, is President, were arraigned and tried:

1st. 1st Lieutenant *Rodney M. Taylor*, 20th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification.—In this, that he, 1st Lieutenant *Rodney M. Taylor*, 20th U. S. Infantry, being on leave of absence, and having been furnished with Government transportation, to wit: a spring wagon and four (4) mules, from Fort Totten, D. T., to Fort Abercrombie, D. T., did neglect properly to care for the same, but did drive said distance of one hundred and sixty-eight miles, in less than three days, viz.: from the 19th to the 21st day of July, 1871, both inclusive, and did, without any authority or necessity for the same, retain said transportation, and drive on the afternoon of the third day, to wit: the 21st July,

about ten miles further, on the road to Morris, Minn., and did continue his journey on the 22d day of July, during the whole of that day, and arriving at Morris, Minn., a distance of about sixty miles more, at 10 A. M., on the 23d day of July, being 238 miles, or thereabouts, in four and a half days, said unauthorized and over-driving being to the injury of said public animals and to the detriment of the service."

CHARGE II.—"Violation of paragraph 1017. Revised Army Regulations, 1863, to the prejudice of good order and military discipline."

Specification.—"In this, that he, 1st Lieutenant *Rodney M. Taylor*, 20th U. S. Infantry, being on leave of absence, and having been furnished with Government transportation, to wit: a spring wagon and four mules, from Fort Totten, D. T., to Fort Abercrombie, D. T., did, without any authority, and in violation of the regulations of the service, retain and make use of said Government transportation for private use, and drive with the same from Fort Abercrombie, D. T., to Morris, Minn., a distance of eighty miles or thereabouts. This between the 21st and 23d days of July, 1871, both inclusive."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States fifty dollars of his pay, and to be reprimanded in Orders by the Commanding General of the Department."

2d. Private *Patrick Hogan*, Company "F," 20th Infantry.

CHARGE.—"Drunkenness on duty."

Specification.—"In this, that he, Private *Patrick Hogan*, 'F' Company, 20th Infantry, having been regularly mounted as a member of the police guard, did become so drunk as to be utterly unable to perform the duties of a sentinel properly. This at Fort Wadsworth, D. T., on or about the 20th day of September, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Not Guilty."

Of the CHARGE—"Not Guilty."

And the Court does therefore "acquit him."

II.. The proceedings in the foregoing cases having been laid before the Department Commander, the following are his decision and orders thereon:

In the case of 1st Lieutenant *Rodney M. Taylor*, 20th Infantry, there is such a manifest failure of proof upon some of the most important points, that the specifications, divested of the allegations covering such points, would no longer sustain the charges.

Without dwelling upon omissions of minor importance, it is only necessary to call attention to the fact that the prosecution entirely neglected to introduce any testimony to show that Lieutenant *Taylor* was on leave of absence, and consequently not traveling under orders, and that he was furnished with transportation from Fort Totten to Fort Abercrombie *only*, and *not* to Morris, Minn. Therefore it is not duly established that the accused retained and made private use of said transportation from Fort Abercrombie, D. T., to Morris, Minn., "without any authority, and in violation of the regulations of the service," as he is charged with doing.

It is also, to say the least, a matter of very serious doubt, whether the fact that this transportation was Government property can fairly be inferred from any of the evidence before the Court. Certainly no testimony was introduced to prove the fact. In view of these omissions—which could not have occurred had the Judge Advocate of the Court given proper attention to the prosecution of the case—the proceedings, findings and sentence are disapproved.

Lieutenant *Taylor* will be released from arrest and restored to duty.

The proceedings, findings and acquittal in the case of Private *Patrick Hogan*, Company "F," 20th Infantry, are approved. Orders have already been issued for his release from confinement and restoration to duty.

III..The General Court Martial convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 240, current series, from these Headquarters, and of which Lieutenant Colonel L. C. HUNT, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 11, 1871.

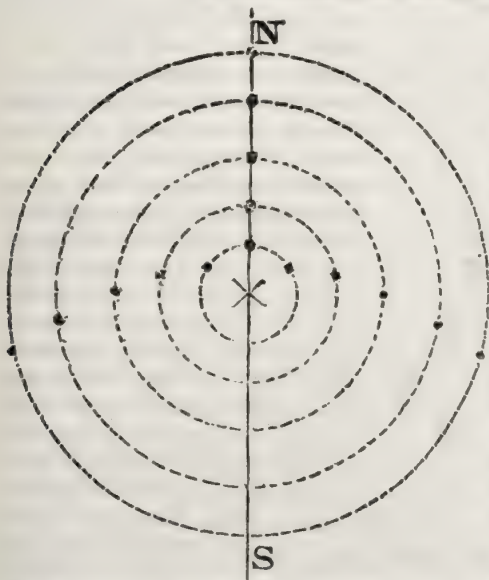
GENERAL ORDERS, }
No. 102. }

The following instructions in regard to Sun-dials are published for the use of officers of this command.

The Sun-dials furnished to posts in this Department are composed of two parts. The upright, whose edge casts a shadow on the plate, is called the *gnomon* or *style*, the plate itself, on which are marked the hour lines, is called the *dial*.

In placing a Sun-dial, it is necessary that the plate be level, and the gnomon in the meridian, the highest point of the gnomon (opposite XII on the dial,) being toward the north. It therefore becomes necessary

TO DETERMINE THE MERIDIAN.



The meridian, or true North and South line, should be determined by a transit or theodolite, if such an instrument can be obtained. As it is presumed that any person capable of using either is also capable of determining the meridian by it, only those methods will be described, which must be used where surveying instruments cannot be procured.

By equal shadows of the sun. Assumesome

point through which the noon lines are intended to pass, and at this point erect a vertical pin. From this point as a centre, describe circles

with different radii. Note carefully where the shadow of the *top* of the pin crosses these circles in the morning and in the afternoon, and bisect the arcs between the points of crossing. A line through these points will be a meridian line. It may be determined on a larger scale by suspending a plumb line from a pole and constructing large circles on the ground from the foot of the plumb as a centre, and proceeding as before. If a piece of tin with a hole in it be placed on top of the pole, and the bright spot be used instead of the shadow of the top, the determination will be more exact. These methods of finding the meridian by equal altitudes of the sun, are only accurate at the solstices—June 21st and December 22d.

By observation on Polaris. The North Star is on the meridian seven-

teen minutes after it is in the same vertical plane with *ε Ursæ Majoris*, otherwise known as Alioth. The constellation Ursa Major is also known as The Dipper, or as Charles' Wain. Let a plumb line be suspended from any elevated point, with the weight in a bucket of water, so as to check vibrations. Behind the plumb line place a low bench running East and West, and on it a compass sight, or any upright frame with a small hole in it. Move this sight as the star moves until it, and Polaris are covered by the plumb line. Note the exact moment by the watch, and seventeen minutes afterwards sight to the North Star. It is then on the meridian, and a line between it, the plumb line, and the observer will be a due North and South line. Fasten down the rear sight and mark out, in the morning, the line between it



and the plumb. A dark lantern should be used to illuminate the plumb line.

The following table gives the times when the North Star crosses the meridian at night during 1870.

MONTH.	1st.	11th.	21st.
January.....	6:26 P. M.	5:46 P. M.	5:07 P. M.
February.....	4:23 "	3:44 "	3:05 "
March.....	2:33 "	1:54 "	1:14 "
April.....	0:31 "	11:52 A. M.	11:13 A. M.
May.....	10:33 A. M.	9:54 "	9:15 "
June.....	8:32 "	7:53 "	7:13 "
July.....	6:34 "	5:55 "	5:16 "
August.....	4:33 "	3:54 "	3:14 "
September.....	2:31 "	1:52 "	1:12 "
October.....	0:33 "	11:50 P. M.	11:11 P. M.
November.....	10:27 P. M.	9:48 "	9:09 "
December.....	8:29 "	7:50 "	7:11 "

In 1880 these culminations will occur three minutes later, and in 1890 seven minutes later. It should be borne in mind that Polaris and Alioth are in the same vertical line seventeen minutes earlier than the times given in the table, and therefore the observer should have everything ready at least twenty-five minutes earlier. The table prevents waste of time in watching the stars, and it also gives a good rough method of getting the variation of the compass on a march. Its use, however, presupposes approximately accurate local time.

THE EQUATION OF TIME.

The time given by a sun dial is solar or *apparent time*. But as the sun does not move uniformly in his path, it is impossible to make watches follow his movements exactly. The device has therefore been resorted to of supposing a fictitious sun, called the *mean sun*, which in a year passes through the same space as the true sun, and has a uniform motion. Watches and clocks all show *mean time*. To get *mean time* from the *apparent time*, which is shown by a sun dial, it is necessary to use a correction called the *equation of time*. This correction is given in all nautical almanacs, the table appended being taken from the official almanac published by the Bureau of Navigation of the Navy Department. The correction is only given here to the nearest minute, as greater accuracy

is unnecessary with a sun-dial. The table should be placed in a frame covered with glass near the dial, and the duplicate should be posted in the guard-house, or in the office of the Commanding Officer.

GENERAL REMARKS.

Sun-dials should not be exposed to the weather, but should have hinged box covers, so that they may be protected when not being examined. With a properly constructed dial, the official time of a post can be kept very accurately. Time should be taken daily, at noon, when the weather permits, by the sergeant of the guard, and the guard clock should be regulated accordingly. Noon is the best time for observing, as the shadows are then less affected than at any other time, by refraction, by parallax, and by inaccuracies in the construction of the dial.

As the sun passes through 15° of an arc in one hour, there is a difference of one hour in local time between two places whose longitudes differ by 15° . This difference is therefore four minutes of time for each degree of longitude. All places on the same meridian have the same local time, however much they may differ in latitude. The length of a degree of longitude, measured on the different parallels of latitude, is as follows:—

In latitude 32°	58.71 miles.	In latitude 41°	52.27 miles.
do 33°	58.06 do	do 42°	51.47 do
do 34°	57.40 do	do 43°	50.66 do
do 35°	56.72 do	do 44°	49.83 do
do 36°	56.02 do	do 45°	48.99 do
do 37°	55.30 do	do 46°	48.13 do
do 38°	54.57 do	do 47°	47.25 do
do 39°	53.82 do	do 48°	46.36 do
do 40°	53.05 do	do 49°	45.46 do

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *Perry P. Perry*, Company "D," 7th Infantry.
 2. Private *Peter Moan*, Company "I," 7th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., December 19, 1871.

GENERAL ORDERS }
No 103. }

I..Before a General Court Martial, which convened at Fort Buford, D. T., by virtue of Special Orders No. 185, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:

1st. Private *Perry P. Perry*, Company "D," 7th Infantry.

CHARGE I.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Perry P. Perry*, a private of Company 'D,' 7th U. S. Infantry, having been duly detailed as a clerk at Headquarters, Fort Buford, D. T., did, without permission from proper authority, leave the Post Adjutant's Office, and neglect and fail to perform his duty as said clerk. This at Fort Buford, D. T., on or about the 22d of July, 1871."

CHARGE II.—"Drunkenness on duty."

Specification.—"In this, that he, *Perry P. Perry*, a private of Company 'D,' 7th U. S. Infantry, being on duty as a clerk at Headquarters, Fort Buford, D. T., did become so much under the influence of intoxicating liquor as to be unable to perform his duty as said clerk. This at Fort Buford, D. T., on or about the 23d of July, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty."

To the *Specification*, 2d Charge—"Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor in charge of the guard for the period of five months."

2d. Private *Peter Moan*, Company "I," 7th Infantry.

CHARGE—"Sleeping on post."

Specification.—"In this, that he, Private *Peter Moan*, Company 'I,' 7th U. S. Infantry, having been duly posted as a sentinel, was found asleep on his post between the hours of 10 P. M. and 11 P. M., when visited by the sergeant of the guard. This at Fort Buford, D. T., on or about the 17th of July, 1871."

To which CHARGE and *Specification* the accused pleaded as follows:

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States ten (10) dollars per month of his monthly pay for six months, and to be confined at hard labor in charge of the guard for the same period."

II..The proceedings, findings and sentences in the foregoing cases of Private *Perry P. Perry*, Company "D," 7th Infantry, and Private *Peter Moan*, Company "I," 7th Infantry, are approved. The sentences will be duly executed.

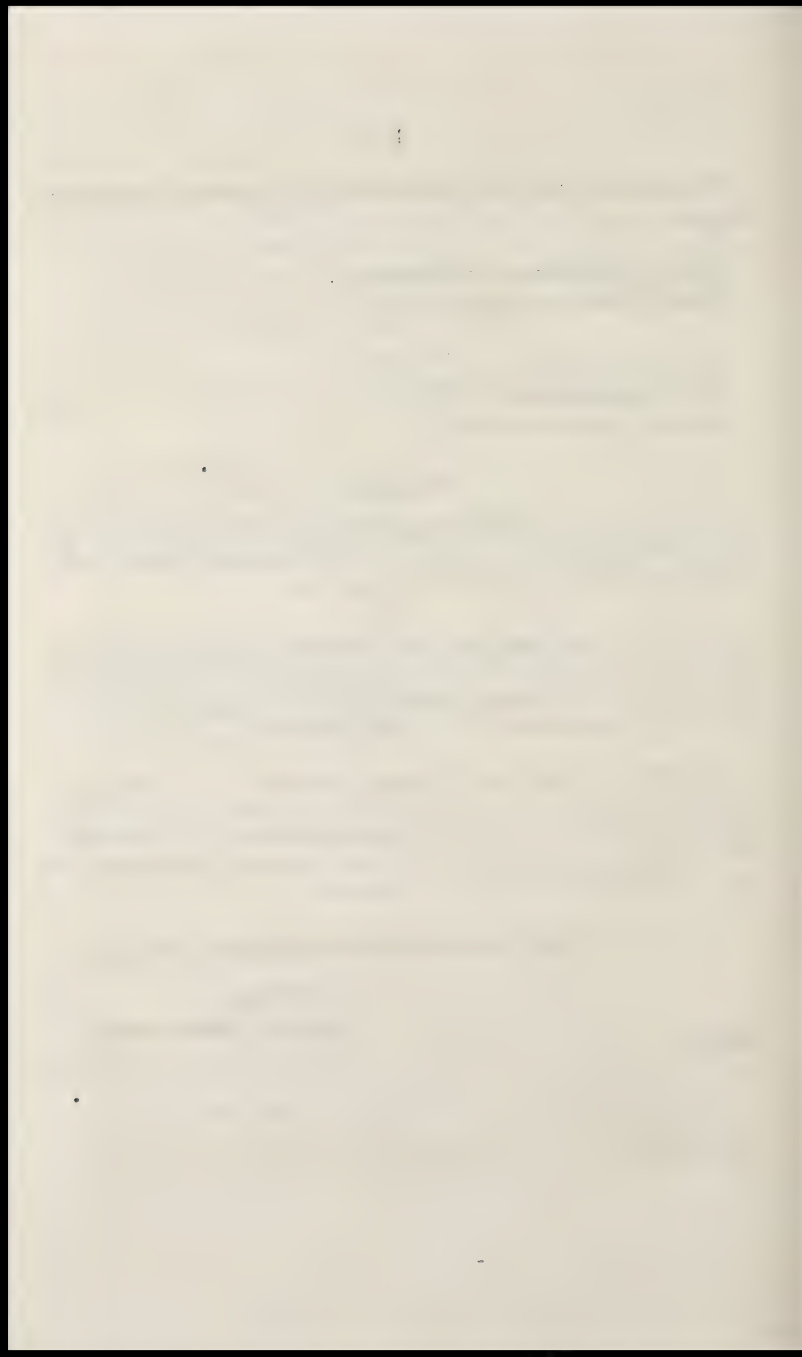
III..The General Court Martial, convened at Fort Buford, D. T., by Special Orders No. 185, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT is President, is dissolved, to take effect upon the completion of any case upon which it may be engaged.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Edward Narey*, Company "E," 20th Infantry.
 2. Private *Frederick W. Best*, Company "H," 17th Infantry.
 3. Private *Samuel Bloomer*, Company "E," 20th Infantry.
 4. Private *James Cassidy*, Company "E," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 20, 1871.

GENERAL ORDERS, }
No. 104. }

I. . Before a General Court Martial, which convened at Fort Snelling, Minn., by virtue of Special Orders No. 267, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried :

1st. Private *Edward Narey*, Company "E," 20th Infantry.

CHARGE I.—"Disorderly and riotous conduct, to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Edward Narey*, 'E' Company, 20th Infantry, did, while under the influence of intoxicating liquor, enter the squad room of his company, arm himself with a breech-loading musket, and equip himself with a cartridge box containing twenty (20) or more rounds of ammunition, and did load said musket and threaten to shoot all who might attempt to disarm him.

This at Fort Snelling, Minn., on or about the 11th day of December, 1871, between the hours of 2 and 3 o'clock A. M."

Specification II.—"In this, that he, Private *Edward Narey*, 'E' Company, 20th Infantry, did, after arming himself, leave his quarters and proceed around the garrison in a disorderly and riotous manner, to the post hospital, and did then and there break and destroy a door and window of said hospital. This at Fort Snelling, Minn., on or about the 11th day of December, 1871, between the hours of 2 and 3 o'clock A. M."

Specification III.—"In this, that he, Private *Edward Narey*, 'E' Company, 20th Infantry, did, fully armed and equipped, proceed to the quarters of Surgeon A. Heger, U. S. A., post surgeon, and demand entrance thereto, and did break and destroy one window of said quarters. This at Fort Snelling, Minn., on or about the 11th day of December, 1871, between the hours of 2 and 3 o'clock A. M."

CHARGE II.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Edward Narey*, 'E' Company, 20th Infantry, did, when ordered by 1st Sergeant Charles E. Molen, 'E' Company, 20th Infantry, to go to his quarters, point a loaded musket at him, and did threaten to shoot said 1st Sergeant Charles E. Molen, should he attempt to arrest him. This at Fort Snelling, Minn., on or about the 11th day of December, 1871, between the hours of 2 and 3 o'clock A. M."

Specification II.—"In this, that he, Private *Edward Narey*, 'E' Company, 20th Infantry, did, when Sergeant Swan Franzen, 'E' Company, 20th Infantry, sergeant of the guard, attempted to arrest him, point a loaded musket at him, and did threaten to shoot said Sergeant Swan Franzen,

should he attempt to arrest him. All this at Fort Snelling, Minn., on or about the 11th day of December, 1871, between the hours of 2 and 3 o'clock A. M."

Specification III.—"In this, that he, Private *Edward Narey*, 'E' Company, 20th Infantry, did, while drunk, willfully and maliciously break and destroy eight (8) glazed window sashes, more or less, the property of the United States, valued at . This at Fort Snelling, Minn., on or about the 11th day of December, 1871, between the hours of 2 and 3 o'clock A. M."

Specification IV.—"In this, that he, Private *Edward Narey*, 'E' Company, 20th Infantry, did, while drunk, willfully and maliciously break and destroy one (1) breech-loading rifled musket, the property of the United States, valued at fifty (50) dollars. All this at Fort Snelling, Minn., on or about the 11th day of December, 1871, between the hours of 2 and 3 o'clock A. M."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*, 1st Charge—"Not Guilty."

To the 2d *Specification*, 1st Charge—"Not Guilty."

To the 3d *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the 1st *Specification*, 2d Charge—"Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 3d *Specification*, 2d Charge—"Not Guilty."

To the 4th *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 3d *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty, except being ordered to his quarters by 1st Sergeant Molen."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 3d *Specification*, 2d Charge—"Guilty."

Of the 4th *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit all pay and allowances that are or may become due him: to be dishonorably discharged and drummed out of the service, and to be confined at hard labor, under charge of the guard, with ball and chain, for the period of one (1) year."

2d. Private *Frederick W. Best*, Company "H," 17th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this, that he, Private *Frederick W. Best*, Company "H," 17th Infantry, having been duly detailed for, and being on duty as clerk in the office of Major G. N. Lieber, U. S. A., Judge Advocate, Department of Dakota, was drunk during office hours on the 8th day of December, 1871, and unable to perform his duty in consequence thereof. This at St. Paul, Minn."

CHARGE II.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *Frederick W. Best*, Company 'H,' 17th Infantry, having been duly detailed for, and being on duty as a clerk in the office of Major G. N. Lieber, U. S. A., Judge Advocate, Department of Dakota, did neglect said duty, and absent himself from said office without permission, during office hours, on the 8th day of December, 1871. This at St. Paul, Minn."

Specification II.—“ In this, that he, Private *Frederick W. Best*, Company ‘H,’ 17th Infantry, having been duly detailed for, and being on duty as clerk in the office of Major G. N. Lieber, U. S. A., Judge Advocate, Department of Dakota, did neglect said duty, and absent himself from said office without permission, during office hours on the 11th day of December, 1871. This at St. Paul, Minn.”

CHARGE III.—“ Disobedience of orders.”

Specification.—“ In this, that he, Private *Frederick W. Best*, Company ‘H,’ 17th Infantry, having been duly ordered to report as clerk to Major G. N. Lieber, U. S. A., Judge Advocate, Department of Dakota, and being on duty as such, and having been on the 9th day of December, 1871, ordered by his said superior officer, Major G. N. Lieber, in the execution of his office, to report daily to Sergeant Arnold, chief clerk at Department Headquarters, at the beginning and expiration of office hours, did disobey said order and fail so to report. This at St. Paul, Minn., on the 10th and 11th days of December, 1871.”

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—“ Guilty.”

To the 1st CHARGE—“ Guilty.”

To the 1st *Specification*, 2d Charge—“ Guilty.”

To the 2d *Specification*, 2d Charge—“ Guilty.”

To the 2d CHARGE—“ Guilty.”

To the *Specification*, 3d Charge—“ Guilty.”

To the 3d CHARGE—“ Guilty.”

FINDING.

Of the *Specification*, 1st Charge—“ Guilty.”

Of the 1st CHARGE—“ Guilty.”

Of the 1st *Specification*, 2d Charge—“ Guilty.”

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

Of the *Specification*, 3d Charge—"Guilty."

Of the 3d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States twelve dollars of his monthly pay per month for six months, and to be confined at hard labor for the same period, at such military prison as the Department Commander may designate."

3d. Private *Samuel Bloomer*, Company "E," 20th Infantry.

CHARGE—"Violation of the 46th Article of War."

Specification.—"In this, that he, Private *Samuel Bloomer*, 'E' Company, 20th Infantry, a member of the guard, duly mounted and posted as a sentinel over the government stables, was found sleeping on his post, between the hours of 11 and 12 o'clock p. m. This at Fort Snelling, Minn., on the 5th day of December, 1871."

To which CHARGE and *Specification* the prisoner pleaded as follows:

To the *Specification*—"Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit ten (10) dollars of his pay per month for six months, and to be confined at hard labor, in charge of the guard, for three months."

4th. Private *James Cassidy*. Company "E," 20th Infantry.

CHARGE—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *James Cassidy*, 'E' Company, 20th Infantry, was drunk and disorderly in his company quarters. This at Fort Snelling, Minn., on or about the 11th day of December, 1871."

Specification II.—"In this, that he, Private *James Cassidy*, 'E' Company, 20th Infantry, did, when taken to the guard house, use abusive and threatening language to Sergeant Franzen, 'E' Company, 20th Infantry, sergeant of the guard, to wit: 'You God damn Swede, I'll mark you.' or words to that effect, and did attempt to strike said Sergeant Swan Franzen, 'E' Company, 20th Infantry, he being at the time in the execution of his office. All this at Fort Snelling, Minn., on or about the 11th day of December, 1871."

To which CHARGE and *Specifications* the prisoner pleaded as follows:

To the 1st *Specification*—"Guilty."

To the 2d *Specification*—"Not Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*—"Guilty."

Of the 2d *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit ten (10) dollars of his pay per month for eight (8) months, and to be confined at hard labor, in charge of the guard, with ball and chain, for the same period."

II..The proceedings, findings, and sentence in the case of Private *Edward Narey*, Company "E," 20th Infantry, are approved. Upon the recommendation of the members of the Court, so much of the sentence as relates to confinement is remitted. The remainder of the sentence will be duly carried into effect.

In the case of Private *Frederick W. Best*, Company "H," 17th Infantry, the proceedings, findings, and sentence are approved. The sentence will be duly carried into effect. Fort Snelling, Minn., is designated as the place of confinement.

In the case of Private *Samuel Bloomer*, Company "E," 20th Infantry, the proceedings, findings, and sentence are approved. The sentence will be duly carried into effect.

' In the case of Private *James Cassidy*, Company "E," 20th Infantry, it seems proper to remark upon one of the rulings of the Court in excluding as irrelevant the question, "do you understand the obligations of an oath?" put, on cross-examination, to a witness for the prosecution. The question should not have been ruled out on the ground of irrelevancy, for that which goes to the competency of a witness is not irrelevant to the matter at issue. It might have been objected to on the ground that the accused had waived the objection to the competency of the witness, by not making it when he was called, and before he was sworn; but, in the opinion of the Commanding General, the question should have been allowed. In a case like this, of an enlisted man undefended by counsel, it is fair to presume that he is ignorant of such rules of law, and it is unnecessary to exact a strict compliance with them, when such relaxation does not affect the validity of the proceedings.

Although a witness may not be questioned as to his own particular religious opinions, he may, either before or after taking the oath, be asked whether he holds such form of oath binding on his conscience. Had the question been so worded in this case it could not have been properly excluded upon any grounds. Propounded, as it apparently was, with the view of establishing the same point, the question should either have been al-

lowed, or the accused instructed how to frame the question in order to make it admissable

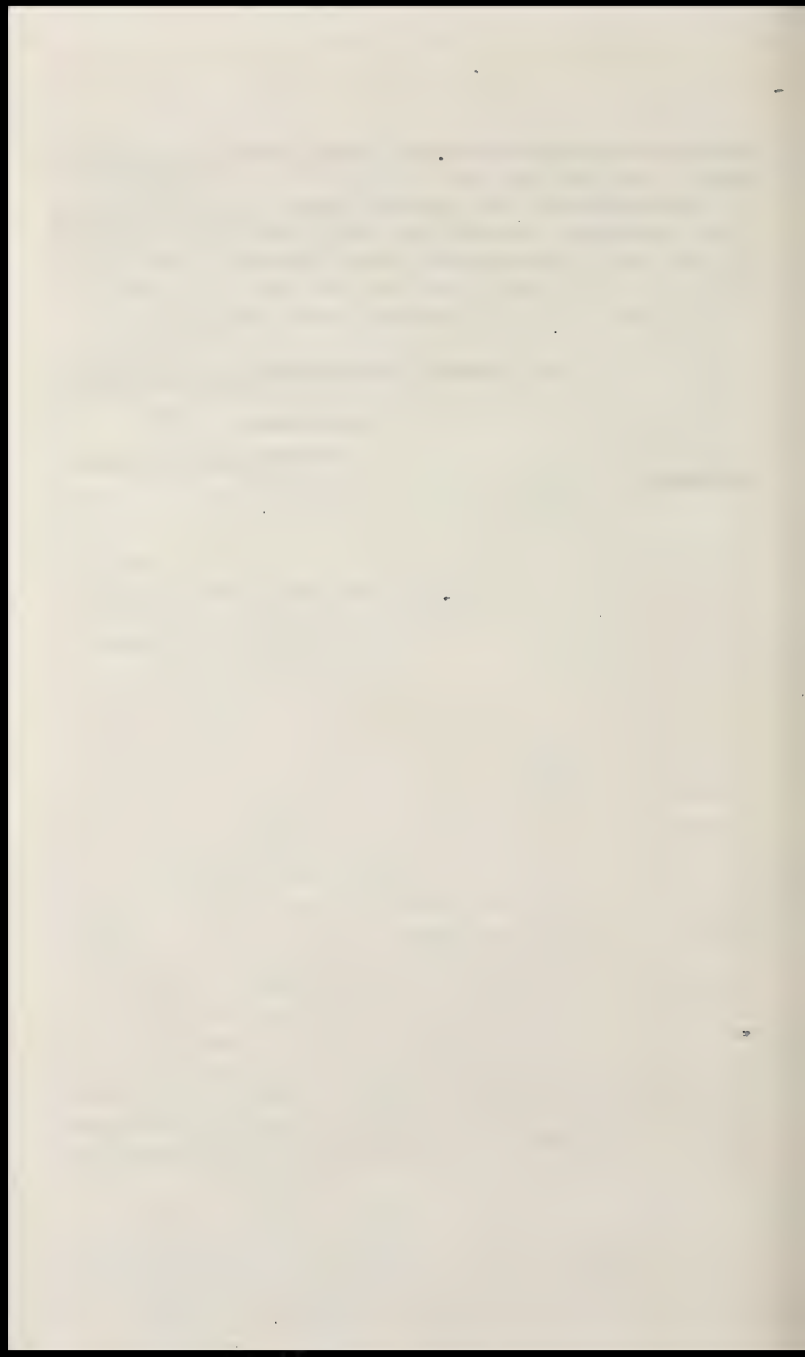
As the ruling referred to does not, however, affect the merits of the case—the charge and specifications being sustained by the plea and by other testimony—the proceedings, with the exception of this action of the Court, and the findings and sentence are approved. The sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *George W. Carter*, Company "H," 2d Cavalry.
 2. Private *James S. Carruthers*, Company "H," 2d Cavalry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 29, 1871.

GENERAL ORDERS }
No. 105. }

I.. Before a General Court Martial, which convened at Fort Ellis, M. T., by virtue of Special Orders No. 141, current series, from these Headquarters, and of which Captain EDWARD BALL, 2d Cavalry, is President, were arraigned and tried:

1st. Private *George W. Carter*, Company "H," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *George W. Carter*, Company 'H,' 2d Cavalry, having been duly enlisted in the military service of the United States, did desert the same at Fort Ellis, M. T., on or about the 19th day of August, 1871, and did so remain a deserter until apprehended at or near Taylor's bridge, Idaho, on or about the 27th day of August, 1871. Thirty dollars (\$30) paid for apprehension. This at the places and on the dates above specified."

CHARGE II.—“ Theft, to the prejudice of good order and military discipline.”

Specification I.—“ In this, that he, Private *George W. Carter*, Company ‘H,’ 2d Cavalry, a duly enlisted soldier in the service of the United States, did take, steal, and carry away two (2) Sharp’s carbines, one (1) carbine sling and swivel, one (1) sabre belt and plate, one (1) saddle blanket, one (1) carbine cartridge box, one (1) pair spurs and straps, and twenty (20) metallic cartridges, the property of the United States, and for which Captain Edward Ball, 2d Cavalry, is responsible. This at Fort Ellis, M. T., on or about the 19th day of August, 1871.”

Specification II.—“ In this, that he, Private *George W. Carter*, Company ‘H,’ 2d Cavalry, a duly enlisted soldier in the service of the United States, did take, steal, and carry away with him, or was one of a party who took, stole, and carried away, one (1) horse, the property of the United States, and for which Captain Lewis Thompson, 2d Cavalry, is responsible. This at Fort Ellis, M. T., on or about the 19th day of August, 1871.”

Specification III.—“ In this, that he, Private *George W. Carter*, Company ‘H,’ 2d Cavalry, a duly enlisted soldier in the service of the United States, did take, steal, and carry away with him, or was one of a party who took, stole, and carried away, two (2) horses, the property of Major E. M. Baker, 2d Cavalry, from the stables of the Assistant Quartermaster. This at Fort Ellis, M. T., on or about the 19th day of August, 1871.”

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—“ Guilty.”

To the 1st CHARGE—“ Guilty.”

To the 1st *Specification*, 2d Charge—“ Guilty,” substituting

for the words, 'two (2) Sharp's carbines,' the words, 'one Sharp's carbine,' and excepting the words 'one carbine sling and swivel, one sabre belt and plate, one saddle blanket, one carbine cartridge box, one pair spurs and straps, and (20) metallic cartridges,' and of the excepted words, Not Guilty."

To the 2d *Specification*, 2d Charge—"Not Guilty."

To the 3d *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 3d *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are now due him or that may become due him, excepting the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be confined in such penitentiary as the Commanding General may direct, for the period of four (4) years."

2d. Private *James S. Carruthers*, Company "H," 2d Cavalry.

CHARGE I.—"Desertion."

Specification.—"In this, that he, Private *James S. Carruthers*, Company 'H,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 19th day of August, 1871, at Fort Ellis, M. T., and did so remain a deserter until apprehended at or near Taylor's bridge, Idaho Territory, on or about the 27th day of August, 1871. This at the places and on the dates above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification I.—"In this, that he, Private *James S. Carruthers*, Company 'H,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did take, steal, and carry away the following ordnance and ordnance stores, the property of the United States, and for which Captain Ed. Ball, 2d Cavalry, is responsible: one (1) Sharp's carbine, one (1) carbine sling and swivel, one (1) sabre belt and plate, one (1) saddle blanket, one (1) carbine cartridge box, one (1) pair spurs and straps, and twenty (20) metallic cartridges. This at Fort Ellis, M. T., on or about the 19th day of August, 1871."

Specification II.—"In this, that he, Private *James S. Carruthers*, Company 'H,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did take, steal, and carry away, or was one of a party who took, stole, and carried away, one horse, the property of the United States, and for which Captain L. Thompson, 2d Cavalry, is responsible. This at Fort Ellis, M. T., on or about the 19th day of August, 1871."

Specification III.—"In this, that he, Private *James S. Carruthers*, Company 'H,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did take, steal, and carry away, or was one of a party who took, stole, and carried away, two (2) horses, the property of Major E. M. Baker, 2d Cavalry, from the stables of the Assistant Quartermaster. This at Fort Ellis, M. T., on or about the 19th day of August, 1871."

CHARGE III.—"Violation of the 50th Article of War."

Specification.—"In this, that he, Private *James S. Carruthers*, Company 'H,' 2d Cavalry, a duly enlisted soldier in the service of the United States, having been duly mounted

as a member of the post guard, at Fort Ellis, M. T., did, without permission from proper authority, abandon the same. This at Fort Ellis, M. T., on or about the 19th day of August, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—" Guilty."

To the 1st CHARGE—" Guilty."

To the 1st *Specification*, 2d Charge—" Guilty, excepting of the words, 'one carbine sling and swivel, one sabre belt and plate, one saddle blanket, one carbine cartridge box, one pair spurs and straps,' and of the excepted words, Not Guilty."

To the 2d *Specification*, 2d Charge—" Not Guilty."

To the 3d *Specification*, 2d Charge—" Not Guilty."

To the 2d CHARGE—" Guilty."

To the *Specification*, 3d Charge—" Guilty."

To the 3d CHARGE—" Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty."

Of the 1st CHARGE—" Guilty."

Of the 1st *Specification*, 2d Charge—" Guilty."

Of the 2d *Specification*, 2d Charge—" Guilty."

Of the 3d *Specification*, 2d Charge—" Guilty."

Of the 2d CHARGE—" Guilty."

Of the *Specification*, 3d Charge—" Guilty."

Of the 3d CHARGE—" Guilty."

SENTENCE.

" To be dishonorably discharged the service ; to forfeit all pay and allowances that are due or that may become due, excepting the just dues of the laundress ; and to be confined in such penitentiary as the Commanding Officer of the Department may direct, for the period of five (5) years."

II.. The proceedings, findings and sentences in the foregoing cases of Privates *George W. Carter* and *James S. Carruthers*, Company "II," 2d Cavalry, are approved. The sentences will be duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *Albert Van Nest*, Company "K," 22d Infantry.
 2. Private *Charles Behrens*, Company "D," 22d Infantry.
 3. Private *Charles Ramsey*, Company "D," 22d Infantry.
 4. Private *Patrick McGlynn*, Company "D," 22d Infantry.
 5. Private *George Evans*, Company "D," 22d Infantry.
 6. Private *William H. Oram*, Company "B," 22d Infantry.
 7. Private *Alfred Dormitzer*, Company "B," 22d Infantry.
 8. Private *Henry Coban*, alias *Patrick Queen*, Company "B," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., December 30, 1871.

GENERAL ORDERS, } No. 106. }

I. . . Before a General Court Martial, which convened at Fort Randall, D. T., by virtue of Special Orders No. 249, current series, from these Headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, were arraigned and tried : ••

1st. Private *Albert Van Nest*, Company "K," 22d Infantry.

CHARGE—"Sleeping on post."

Specification.—"In this, that he, the said Private *Albert Van Nest*, Company 'K,' 22d U. S. Infantry, a duly enlisted

soldier in the service of the United States, and regularly mounted as a member of the post guard on the morning of the 30th of August, 1871, and duly posted as a sentinel on the bank of the river, above the post, did go to sleep and remain in such condition until awakened by Captain C. W. Miner, 22d U. S. Infantry, officer of the day. All this at Fort Randall, D. T., between the hours of one and two o'clock P. M., on or about the 30th of August, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Guilty, except the words 'and duly posted as a sentinel on the bank of the river, above the post.'"

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty, except the words 'and duly posted as a sentinel on the bank of the river, above the post,' and of the excepted words Not Guilty."

Of the CHARGE—"Not Guilty, but guilty of neglect of duty to the prejudice of good order and military discipline."

SENTENCE.

"To forfeit to the United States ten (10) dollars of his monthly pay for the period of four (4) months, and to be confined at hard labor, in charge of the post guard, for the same period."

2d. Private *Charles Behrens*, Company "D," 22d Infantry.

CHARGE—"Violation of the 46th Article of War, sleeping on post."

Specification.—"In this, that he, Private *Charles Behrens*, Company 'D,' 22d Infantry, having been duly mounted as a member of the post guard, and posted as a sentinel on post No. 2, in charge of Government stables, was found sleep-

ing on his post between the hours of 10 and 12 P. M. This at Whetstone Agency, D. T., on the night of June 13th, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Not Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States his monthly pay for ten (10) months, and to be confined at hard labor, in charge of the guard, at the post where his company may be serving, for the same period."

3d. Private *Charles Ramsey*, Company "D," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that he, Private *Charles Ramsey*, Company 'D,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service at Whetstone Agency, D. T., on the 8th day of June, 1871, and did remain absent until apprehended by Sergeant Michael London, Company 'D,' 22d Infantry, at a ranch near Cedar Creek, D. T., on the 14th day of June, 1871. All this at or near Whetstone Agency, D. T., on or about the dates above specified."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the *CHARGE*—"Not Guilty."

FINDING.

Of the *Specification*—"The Court does strike out the words 'did desert said service,' and substitute therefor the words 'did absent himself without leave,' and with such amendment and substitution the Court does find the accused Guilty."

Of the *CHARGE*—"Not Guilty, but Guilty of absence without leave."

SENTENCE.

"To forfeit to the United States his monthly pay for six (6) months, and to be confined at hard labor, in charge of the guard, at the post where his company may be serving, for the same period."

4th. Private *Patrick McGlynn*, Company "D," 22d U. S. Infantry.

CHARGE I.—"Violation of the 46th Article of War."

Specification.—"In this, that he, *Patrick McGlynn*, private, Company 'D,' 22d Infantry, having been duly mounted as a member of the guard, and regularly posted as a sentinel on post No. 1, did, upon being fired upon by an unseen enemy, shamefully abandon his post without being regularly relieved. This at Whetstone Agency, D. T., on the 1st day of August, 1871, between the hours of 7 and 8 o'clock P. M."

CHARGE II.—"Disobedience of orders, to the prejudice of good order and military discipline."

Specification.—"In this, that he, *Patrick McGlynn*, private, Company 'D,' 22d Infantry, having been duly mounted as

a member of the guard, upon being ordered by Sergeant Michael London, Company 'D,' 22d Infantry, he being in the execution of his office as sergeant of the guard, to take post as sentinel on post No. 1, did positively refuse to obey said order, and did reply as follows: 'I will not stand post, I will go in the guard-house first.' This at Whetstone Agency, D. T., on the 1st day of August, 1871."

To which CHARGES and *Specifications* the accused pleaded as follows:

To the *Specification*, 1st Charge—"Not Guilty."

To the 1st CHARGE—"Not Guilty."

To the *Specification*, 2d Charge—"Not Guilty."

To the 2d CHARGE—"Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To forfeit to the United States all pay and allowances that are or may become due: to be confined at hard labor, in charge of the guard, at the post where his company may be serving, for the period of two (2) years, and at the expiration of that period to be dishonorably discharged and drummed out of the United States service."

5th. Private *George Evans*, Company "D," 22d Infantry.

CHARGE,—“Violation of the 45th Article of War.”

Specification.—“In this, that he, *George Evans*, private, Company 'D,' 22d Infantry, having been duly mounted as a

member of the post guard, did become so intoxicated as to be unable to perform his duty. This at Whetstone Agency, D. T., on the 4th day of July, 1871."

To which CHARGE and *Specification* the accused pleaded as follows :

To the *Specification*—"Not Guilty."

To the CHARGE—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the CHARGE—"Guilty."

SENTENCE.

"To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of ten (10) months, and to forfeit to the United States his monthly pay for the same period."

6th. Private *William H. Oram*, Company "B," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this, that Private *William H. Oram*, Company 'B,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Randall, D. T., on or about the 4th day of August, 1871, and did remain absent therefrom until apprehended at or near the Bohemian settlement, on Niobrara river, Neb., on or about the 5th day of August, 1871. All this at Fort Randall, D. T., on or about the time specified."

To which CHARGE and *Specification* the prisoner pleaded as follows :

To the *Specification*—"Guilty."

To the *CHARGE*—"Guilty."

FINDING.

Of the *Specification*—"Guilty."

Of the *CHARGE*—"Guilty."

SENTENCE.

"To be confined at hard labor in charge of the guard at the post where his company may be serving, for the period of two years, and to forfeit all pay and allowances for the same period."

7th. Private *Alfred Dormitzer*, Company "B," 22d Infantry.

CHARGE 1.—"Knowingly and willfully misappropriating and applying to his own use and benefit public money, the property of the United States, in violation of the provisions of an act of Congress defining certain crimes and prescribing punishments for the same, approved March 2d, 1863, and commonly known as the act to prevent and punish frauds upon the United States."

Specification 1.—"In this, that he, *Alfred Dormitzer*, a duly enlisted soldier in the service of the United States, and private of 'B' Company, 22d Infantry, did, while on duty as clerk in the Subsistence Department at the post of Fort Randall, D. T., sell, without right or authority, to a citizen known by the name of Gurdyke, a quantity of fresh beef, to-wit: about thirty pounds, the property of the United States, and did receive therefor from said Gurdyke, a sum of money amounting to three dollars and thirty cents, (\$3.30,) which he appropriated to his own use. This at Fort Randall, D. T., on or about the 12th day of June, 1871."

Specification II.—"In this, that he, *Alfred Dormitzer*, a duly enlisted soldier in the service of the United States, and private of 'B' Company, 22d Infantry, did, while on duty as clerk in the Subsistence Department at the post of Fort Randall, D. T., sell, without right or authority, to a citizen known by the name of Gurdyke, a quantity of fresh beef, to-wit: about fifty pounds, the property of the United States, and did receive therefor from said Gurdyke a sum of money amounting to five dollars and fifty cents, (\$5.50,) which he appropriated to his own use. This at Fort Randall, D. T., on or about the 22d day of June, 1871."

Specification III.—"In this, that he, *Alfred Dormitzer*, a duly enlisted soldier in the service of the United States, and a private of 'B' Company, 22d Infantry, did, while on duty as clerk in the Subsistence Department at Fort Randall, D. T., sell, without right or authority, to a citizen known by the name of Gurdyke, a quantity of fresh beef, to-wit: about seventy-two pounds, the property of the United States, and did receive therefor a sum of money amounting to seven dollars, (\$7.00,) which he appropriated to his own use. This at Fort Randall, D. T., on or about the 2d day of July, 1871."

Specification IV.—"In this, that he, Private *Alfred Dormitzer*, Company 'B,' 22d Regiment, United States Infantry, did, while on duty as clerk in the Subsistence Department, at the post of Fort Randall, D. T., sell without right or authority, to citizen George Chamberlain, a quantity of fresh beef, to wit: about fifty (50) pounds, the property of the United States, and did receive therefor from said George Chamberlain a sum of money amounting to five dollars and fifty cents, (\$5.50,) which he appropriated to his own use. This at Fort Randall, D. T., on or about the 2d day of July, 1871."

CHARGE II.—“Conduct, to the prejudice of good order and military discipline.”

Specification I.—“In this, that he, Private *Alfred Dormitzer*, Company ‘B,’ 22d U. S. Infantry, having been detailed as clerk in the Subsistence Department at the post of Fort Randall, D. T., and being upon duty in that capacity, did issue, without right or authority, an order in favor of a citizen named Gurdyke, upon the post butcher of the said post, which order was in words and figures following, to wit:

‘Fort Randall, D. T.,
June 12, 1871.

Butcher,
Issue to Gurdyke
30 pounds beef.

DORMITZER.’

and did cause the same to be presented to the post butcher, by whom the order was filled. This at Fort Randall, D. T., on or about the 12th day of June, 1871.”

Specification II.—“In this, that he, Private *Alfred Dormitzer*, Company ‘B,’ 22d Infantry, having been detailed as clerk in the Subsistence Department at the post of Fort Randall, D. T., and being upon duty in that capacity, did issue, without right or authority, an order in favor of a citizen named Gurdyke upon the post butcher of the said post, which order was in words and figures following, to wit:

‘Fort Randall, D. T.,
June 22d, 1871.

Post Butcher,
Issue to Mr. Gurdyke
50 pounds beef.

DORMITZER.’

and did cause the same to be presented to the post butcher, by whom the order was filled. This at Fort Randall, D. T., on or about the 22d day of June, 1871.”

Specification III.—"In this, that he, Private *Alfred Dormitzer*, Company 'B,' 22d Regiment U. S. Infantry, having been detailed as clerk in the Subsistence Department at the post of Fort Randall, D. T., and while on duty in that capacity did issue, without right or authority, an order in favor of a citizen named Gurdyke, upon the post butcher of the said post, which order was in words and figures following, to wit :

'Fort Randall, D. T.,
July 2d, 1871.

Post Butcher,

Issue to Mr. Gurdyke
72 pounds beef.

DORMITZER.'

and did cause the same to be presented to the post butcher, by whom the order was filled. This at Fort Randall, D. T., on or about the 2d day of July, 1871."

Specification IV.—"In this, that he, Private *Alfred Dormitzer*, Company 'B,' 22d Regiment U. S. Infantry, having been detailed as clerk in the Subsistence Department at the post of Fort Randall, D. T., and being upon duty in that capacity, did issue, without right or authority, an order in favor of citizen George Chamberlain, upon the post butcher of the said post, which order was in words and figures following, to wit :

'Fort Randall, D. T.,
July 2d, 1871.

Issue to Mr. Chamberlain

50 pounds beef.

DORMITZER.'

and did cause the same to be presented to the post butcher, by whom the order was filled. This at Fort Randall, D. T., on or about the 2d day of July, 1871."

Specification V.—"In this, that he, Private *Alfred Dormitzer*, Company 'B,' 22d Regiment U. S. Infantry, being legally on duty as subsistence clerk in the Subsistence Department, at the military post of Fort Randall, D. T., did re-

ceive from citizens James Gurdyke and George Chamberlain, temporarily resident at said post, a sum of money on account of subsistence supplies sold them, amounting to twenty-one dollars and thirty cents, (\$21.30,) which he failed to report or pay over to parties whose right it was to receive the money, but on the contrary did secretly, feloniously, and with intent to defraud, retain the same in his possession and appropriate it to his own use and benefit. This at Fort Randall, D. T., between the 11th day of June and the 3d day of July, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the 1st *Specification*, 1st Charge—"Guilty."

To the 2d *Specification*, 1st Charge—"Guilty."

To the 3d *Specification*, 1st Charge—"Guilty."

To the 4th *Specification*, 1st Charge—"Guilty."

To the 1st CHARGE—"Guilty, but not with criminal intent."

To the 1st *Specification*, 2d Charge—"Guilty."

To the 2d *Specification*, 2d Charge—"Guilty."

To the 3d *Specification*, 2d Charge—"Guilty."

To the 4th *Specification*, 2d Charge—"Guilty."

To the 5th *Specification*, 2d Charge—"Guilty, excepting the words 'but on the contrary did secretly, feloniously, and with intent to defraud.'"

To the 2d CHARGE—"Guilty."

FINDING.

Of the 1st *Specification*, 1st Charge—"Guilty."

Of the 2d *Specification*, 1st Charge—"Guilty."

Of the 3d *Specification*, 1st Charge—"Guilty."

Of the 4th *Specification*, 1st Charge—"Guilty."

Of the 1st CHARGE—"Guilty."

Of the 1st *Specification*, 2d Charge—"Guilty."

Of the 2d *Specification*, 2d Charge—"Guilty."

Of the 3d *Specification*, 2d Charge—"Guilty."

Of the 4th *Specification*, 2d Charge—"Guilty."

Of the 5th *Specification*, 2d Charge—"Guilty."

Of the 2d CHARGE—"Guilty."

SENTENCE.

"To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due; and to be confined at hard labor in such penitentiary as the Major General Commanding the Department may designate, for the period of two (2) years."

8th. Private *Henry Coban*, alias *Patrick Queen*, Company "B," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this, that Private *Henry Coban*, alias *Patrick Queen*, Company 'B,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Randall, D. T., on or about the 15th day of May, 1871, and did remain absent therefrom until apprehended at or near Sioux City, Iowa, on or about the 17th day of May, 1871. This at Fort Randall, D. T., on or about the time specified."

CHARGE II.—"Forgery, to the prejudice of good order and military discipline."

Specification.—"In this, that he, Private *Henry Coban*, alias *Patrick Queen*, Company 'B,' 22d Infantry, a duly enlisted soldier in the service of the United States, did forge the signature of the Commanding Officer of the post of Fort Randall, D. T., Lieut. Col. E. S. Otis, 22d Infantry, to a furlough, which furlough was in words and figures as follows, to wit:

'To all whom it may concern :

The bearer hereof, Patrick Queen, a private of Captain John Hartley's 'B' Company, of the 22d Regiment of U. S. Infantry, aged 30 years, 5 feet 5½ inches high, light complexion, blue eyes, brown hair, and by profession a tailor, born in the State of New York, and enlisted at Detroit, in the State of Michigan, on the 18th day of June, eighteen hundred and seventy, to serve for the period of five years, is hereby permitted to go to Chicago, in the County of

State of Illinois, he having received a furlough from the 14th day of May to the 14th day of June, at which period he will rejoin his company or regiment at Fort Randall, D. T., or wherever it then may be, or be considered a deserter.

Subsistence has been furnished to the said Patrick Queen to the 14th day of May, 1871, and pay to the 30th day of April, 1871, both inclusive.

Given under my hand at Fort Randall, D. T., this 14th day of May, 1871.

E. S. OTIS,
Lieut. Col. 22d Infantry,
Commanding the Post.'

This at Fort Randall D. T., on or about the 14th day of May, 1871."

CHARGE III.—Making use of a forged furlough to assist desertion, knowing the same to be forged, to the prejudice of good order and military discipline."

Specification.—"In this, that Private *Henry Coban*, alias *Patrick Queen*, Company 'B,' 22d Infantry, a duly enlisted soldier in the service of the United States, did have in his possession a furlough, to which the name of Lieut. Col. E. S. Otis, 22d Infantry, had been forged, and did present the same to Ordnance Sergeant James Connell, U. S. A., to show that he, Coban, was absent from his company by proper authority, which furlough was in words and figures as follows, to wit :

'To all whom it may concern :

The bearer hereof, Patrick Queen, a private of Captain John Hartley's 'B' Company of the 22d Regiment of U. S. Infantry aged 30 years, 5 feet 5½ inches high, light complexion, blue eyes

brown hair, and by profession a tailor, born in the State of New York, and enlisted at Detroit, in the State of Michigan, on the 18th day of June, eighteen hundred and seventy, to serve for the period of five years, is hereby permitted to go to Chicago, in the County of

State of Illinois, he having received a furlough from the 14th day of May to the 14th day of June, at which period he will rejoin his company or regiment at Fort Randall, D. T., or wherever it then may be, or be considered a deserter.

Subsistence has been furnished to said Patrick Queen to the 14th day of May, 1871, and pay to the 30th day of April, 1871, both inclusive.

Given under my hand, at Fort Randall, D. T., this 14th day of May, 1871.

E. S. OTIS,
Lieut. Col. 22d Infantry,
Commanding the Post.

This at or near Fort Randall, D. T., on or about the 16th day of May, 1871."

To which CHARGES and *Specifications* the prisoner pleaded as follows :

To the *Specification*, 1st Charge—" Guilty."

To the 1st CHARGE—" Guilty."

To the *Specification*, 2d Charge—" Not Guilty."

To the 2d CHARGE—" Not Guilty."

To the *Specification*, 3d Charge—" Not Guilty."

To the 3d CHARGE—" Not Guilty."

FINDING.

Of the *Specification*, 1st Charge—" Guilty."

Of the 1st CHARGE—" Guilty."

Of the *Specification*, 2d Charge—" Not Guilty."

Of the 2d CHARGE—" Not Guilty."

Of the *Specification*, 3d Charge—" Guilty."

Of the 3d CHARGE—" Guilty."

SENTENCE.

" To be dishonorably discharged the service of the United States, with loss of all pay and allowances that are or may become due ; and to be confined at hard labor in such penitentiary

as the Major General commanding the Department, may designate, for the period of three (3) years."

II. In the case of Private *Albert Van Nest*, Company "K," 22d Infantry, the prisoner was charged with sleeping on post, the specification setting forth that he was "duly posted as a sentinel on the bank of the river above the post." It appearing in evidence that the prisoner was allowed to post himself, and was not therefore "duly posted," these words were by the Court stricken out in its finding to the specification, and the prisoner acquitted of sleeping on post, but convicted of neglect of duty.

The specification as modified by the findings, simply charges the prisoner with going to sleep after having been regularly mounted as a member of the post guard. So far as the remaining allegations are concerned it cannot be inferred that he was on post at all—whether duly posted or otherwise. To charge a man with going to sleep after having been regularly mounted as a member of the guard, is not in itself a sufficient averment of an offence to sustain a charge of neglect of duty. There is nothing in the finding to show that the prisoner belonged to a relief on post.

The attention of post commanders is called to par. 413, Rev. Army Reg., 1863, which prescribes that sentinels shall not take orders or allow themselves to be relieved except by an officer or non-commissioned officer of their guard or party, the officer of the day, or the Commanding Officer.

The findings and sentence in this case are disapproved. Private *Van Nest* will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the case of Private *Charles Behrens*, Company "D," 22d Infantry, are approved. The evidence in this case shows that when the prisoner was arrested the sergeant of the guard took his belts off, and put a log on him on top of the blockhouse, in charge of No. 1; that he carried the log from about 12 o'clock until 4 A. M.; that the log was then taken off and the prisoner put upon the same post, where he stood about three quarters of an hour; that he was then taken off and again "logged" until after sick call, by order

of the Commanding Officer, when the log was taken off and the man sent to work with the other prisoners—and all this notwithstanding the fact that he had that day received some injury in the guard house, the nature of which is not, however, explained.

The interests of the service may, in certain cases, require that men be placed under such restraint as partakes of the character, without being imposed for the purpose of punishment, but there is no authority, either written or which can be derived from the customs of the service, which would justify the treatment to which this man appears to have been subjected, particularly in view of the fact that his offence was a proper one for the consideration of a General Court Martial.

The case appears to be one for the exercise of executive clemency, and the sentence is accordingly remitted. The prisoner will be released from confinement and restored to duty.

The proceedings, findings, and sentences in the cases of Privates *Charles Ramsey* and *Patrick McGlynn*, Company "D," 22d Infantry, are approved. The sentences will be duly carried into effect.

The proceedings and findings in the case of Private *George Evans*, Company "D," 22d Infantry, are approved. So much of the sentence as relates to a forfeiture of pay is disapproved, all punishment for violations of the 45th Article of War other than that of a corporeal character being illegal. The remainder of the sentence is approved, but upon the recommendation to clemency, signed by all of the members of the Court, it is mitigated to confinement in charge of the guard for a period of three months. As thus mitigated, the sentence will be duly executed.

The proceedings, findings, and sentence in the case of Private *William H. Oram*, Company "B," 22d Infantry, are approved, but upon the recommendation to clemency signed by all of the members of the Court, the sentence is mitigated to confinement at hard labor, in charge of the guard, for six months, and forfeiture of pay and allowances for the same period. As thus mitigated, the sentence will be duly executed.

In the case of Private *Alfred Dormitzer*, Company "B," 22d Infantry, the findings under the 1st charge are disapproved, the offence having been improperly charged as misappropriation of public money, whereas it was a wrongful selling of subsistence stores, in violation of the act of March 2d, 1863.

As, however, the specification to the 2d charge covers the same criminal acts, the findings under this charge and the sentence are approved. The sentence will be duly carried into effect. The Minnesota State Prison at Stillwater, Minnesota, is designated as the place of confinement.

The proceedings, findings, and sentence in the case of Private *Henry Coban*, alias *Patrick Queen*, Company "B," 22d Infantry, are approved. The sentence will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of confinement.

In this case the only reason assigned for the absence of one of the members of the Court is that he was "on other duty at the post." Such a statement of the cause of a member's absence is not sufficient. It is only in cases of great urgency and importance, not admitting of the delay of communication with Department Headquarters, that a post or other inferior Commander is justified in modifying the detail for the Court made by the Department Commander, and in such cases the record should be sufficiently full and explicit, to enable the reviewing authority to decide upon the propriety of such exceptional action.

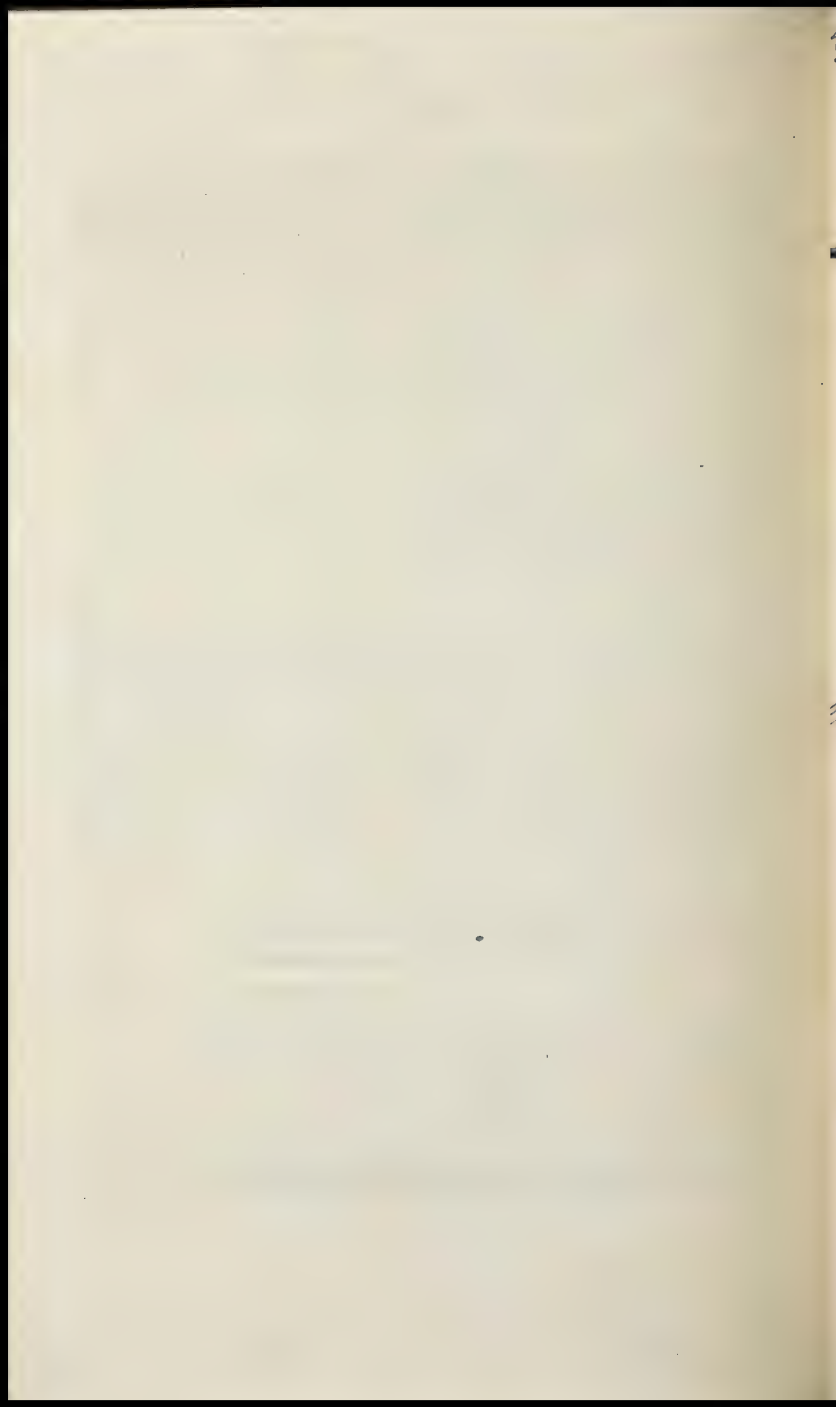
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

(NOTE.—This completes the series of General Orders for 1871.)



Department of Dakota.

1872

General Orders 1 to 71



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OF
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DEPARTMENT OF DAKOTA,

1872.

ST. PAUL, MINN.
ASSISTANT ADJUTANT GENERAL'S OFFICE.
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G. C. M.

1. Private *James Forbes*, Company "K," 20th Infantry.
 2. Private *John Proctor*, Company "K," 20th Infantry.
 3. Private *Edward Thayer*, Company "K," 20th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 2, 1872.

GENERAL ORDERS }
No. 1. }

I...Before a General Court Martial which convened at Fort Pembina, D. T., by virtue of Special Orders No. 262, series of 1871, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, were arraigned and tried—

1st. Private *James Forbes*, Company "K," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *James Forbes*, Company 'K,' 20th Infantry, a duly enlisted soldier in the military service of the United States, did desert said service on the 10th day of April, 1871, and did remain absent until he surrendered himself at Fort Pembina, D. T., on the 3d day of October, 1871. This at Fort Pembina, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *James Forbes*, Company "K," 20th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Forbes*, Company "K," 20th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due; to be dishonorably discharged the service of the United States; and to be confined at hard labor in such military prison as the Commanding General of the Department may direct, for the period of one (1) year.*"

2d. Private *John Proctor*, Company "K," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that Private *John Proctor*, Company 'K,' 20th Infantry, a duly enlisted soldier in the military service of the United States, did desert said service on the 24th day of May, 1871, and did remain absent until he surrendered himself at the post of his company, on the 23d day of September, 1871. This at Fort Pembina, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Proctor*, Company "K," 20th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Proctor*, Company "K," 20th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due; to be dishonorably discharged the service of the United States; and to be confined at hard labor in such military prison as the Commanding General of the Department may direct, for the period of one (1) year.*"

3d. Private *Edward Thayer*, Company "K," 20th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Edward Thayer*, Company 'K,' 20th Infantry, did feloniously take, steal, and carry away, with the intention of appropriating to his own use, one pocket-book containing money to the amount of six dollars and seventy cents, (\$6.70) more or less, the property of Private *Herman Kampfeur*, Company 'K,' 20th Infantry. This at Fort Pembina, D. T., on or about March 5th, 1871."

To which charge and specification the accused pleaded as follows:

To the Specification, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Edward Thayer*, Company "K," 20th Infantry, as follows:

Of the Specification, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore acquit him, Private *Edward Thayer*, Company "K," 20th Infantry.

II...The proceedings, findings, and sentences in the cases of Privates *James Forbes* and *John Proctor*, Company "K," 20th Infantry, are ap-

proved. The sentences will be duly executed. Fort Pembina, D. T., is designated as the place of confinement.

The proceedings, findings, and acquittal in the case of Private *Edward Thayer*, Company "K," 20th Infantry, are approved. He will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *John Jacoby*, Company "D," 22d Infantry.
 2. Private *John Wilson*, Company "D," 22d Infantry.
 3. Private *John Bowen*, Company "C," 22d Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,
Saint Paul, Minn., January 8, 1872.

GENERAL ORDERS }
No. 2. }

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders No. 249, series of 1871, from these Headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, were arraigned and tried—

1st. Private *John Jacoby*, Company "D," 22d Infantry.

CHARGE I.—"Absence without leave."

Specification.—"In this: that he, Private *John Jacoby*, Company "D," 22d Infantry, did absent himself from his company and quarters on the 8th day of June, 1871, without permission from proper authority, and did remain absent until 2 o'clock P. M., June 9th, 1871. This at or near Whetstone Agency, D. T., on or about the dates above specified."

CHARGE II.—"Disobedience of orders."

Specification.—"In this: that he, Private *John Jacoby*, Company "D," 22d Infantry, did, in violation of the lawful commands of his superior and commanding officer, Captain C. A. Webb, 22d Infantry, viz.: Par. I, General Orders No. 8, Headquarters Whetstone Agency, D. T., August 23, 1871, cross the Missouri river without permission from proper authority, said order having

been properly published to the command and posted in the company quarters. This at or near Whetstone Agency, D. T., on or about the 8th day of June, 1871."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *John Jacoby*, Company "D," 22d Infantry, as follows :

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Jacoby*, Company "D," 22d Infantry, "*To forfeit to the United States his monthly pay for four (4) months, and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the same period.*"

2d. Private *John Wilson*, Company "D," 22d Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this: that he, Private *John Wilson*, Company "D," 22d Infantry, did, in violation of Par. I, General Orders No. 8, Headquarters, Whetstone Agency, D. T., August 23, 1870, and of the lawful orders of his superior officer, Capt. C. A. Webb,

22d Infantry, in the execution of his office, cross the Missouri river without permission from proper authority, said order having been properly published to the command and posted in the company quarters. This at Whetstone Agency, D. T., on or about the 9th day of July, 1871."

CHARGE II.—"Absence without leave."

Specification.—"In this: that he, Private *John Wilson*, Company "D," 22d Infantry, did absent himself from his company and quarters, on the 9th day of July, 1871, without permission from proper authority, and did remain absent until 4 o'clock A. M., July 10th, 1871, missing two company roll calls. This at Whetstone Agency, D. T., on or about the dates above specified."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

"The Court, having maturely considered the case, finds the accused, Private *John Wilson*, Company "D," 22d Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Wilson*, Company "D," 22d Infantry, "To forfeit to the United States his monthly pay

for four (4) months; and to be confined at hard labor, in charge of the guard at the post where his company may be serving, for the same period."

3d. Private *John Bowen*, Company "C," 22d Infantry.

CHARGE.—"Quitting his guard, in violation of the 50th Article of War."

Specification.—"In this: that he, *John Bowen*, a duly enlisted soldier in the service of the United States, and a private of Company "C," 22d U. S. Infantry, did, while a member of the picket guard, detailed and posted for the protection of the escort to surveying party, Northern Pacific Railroad, desert said guard and remain absent therefrom until arrested by the non-commissioned officer of said picket guard. This at or near the head of Heart river, on or about the 8th day of October, 1871."

To which charge and specification the accused pleaded as follows:

To the Specification, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private *John Bowen*, Company "C," 22d Infantry, as follows:

Of the Specification, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Bowen*, Company "C," 22d Infantry, "*To be confined at hard labor, in charge of the post guard where his company may be serving, for the period of two (2) years; to forfeit to the United States all pay and allowances that are or may become due, except the just dues of the landress, and then to be dishonorably discharged and drummed out of the United States service.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *John Jacoby* and *John Wilson*, Company "D," 22d Infantry,

and *John Bowen*, Company "C," 22d Infantry, are approved. The sentences will be duly executed.

III...The General Court Martial convened at Fort Randall, D. T., by virtue of Special Orders No. 249, series of 1871, from these Headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Herbert Clark*, Company "B," 7th Infantry.
 2. Private *Frank Hoeing*, Company "B," 7th Infantry.
 3. Private *Hugh Fitzsimmons*, Company "C," 7th Infantry.
 4. Private *John W. Tattan*, Company "B," 7th Infantry.
 5. Private *John Ferris*, Company "B," 7th Infantry.
 6. Private *Winfield Copenhaver*, Company "C," 7th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 11, 1872.

GENERAL ORDERS }
No. 3. }

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Par. IV, Special Orders No. 165, series of 1871, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried—

1st. Private *Herbert Clark*, Company "B," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that he, *Herbert Clark*, private, 'B' Company, 7th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same, and did remain absent until apprehended at or near Helena, Montana Territory, on or about the 6th day of September, 1871. This at Fort Shaw, Montana Territory, on or about the 20th day of April, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *Herbert Clark*, Company "B," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Herbert Clark*, Company "B," 7th Infantry, "*To be confined at hard labor, in charge of the guard, until November 10th, 1874, the end of his original period of enlistment, and then to be dishonorably discharged from and drummed out of the military service of the United States.*"

2d. Private *Frank Hoeing*, Company "B," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that he, *Frank Hoeing*, 'B' Company, 7th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same, and remain absent until apprehended at or near Fort Shaw, Montana Territory, on or about the 3d day of September, 1871. This at Fort Shaw, Montana Territory, on or about the 2d day of April, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *Frank Hoeing*, Company "B," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frank Hoeing*, Company "B," 7th Infantry, "*To be confined at hard labor, in charge of*

the guard, until June 6th, 1875, the end of his original period of enlistment, and then to be dishonorably discharged from and drummed out of the military service of the United States."

3d. Private *Hugh Fitzsimmons*, Company "C," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Hugh Fitzsimmons*, Company 'C,' 7th Infantry, having been regularly enlisted in the United States service, did desert said service on or about the 21st day of April, 1871, and remain absent until the 3d day of September, 1871. This at Fort Shaw, M. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *Hugh Fitzsimmons*, Company "C," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hugh Fitzsimmons*, Company "C," 7th Infantry, "*To be confined at hard labor in charge of the guard, until June 10th, 1875, the end of his original period of enlistment, and then to be dishonorably discharged from and drummed out of the military service of the United States.*"

4th. Private *John W. Tattan*, Company "B," 7th Infantry.

CHARGE.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In: that Private *John W. Tattan*, Company 'B,' 7th U. S. Infantry, when commanded by his superior officer, Captain

T. S. Kirtland, 7th Infantry, who was at the time in the execution of his office, to go to his quarters, did disobey such lawful command, saying, 'I wont go.' This at Fort Shaw, Montana Territory, on the 17th day of August, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John W. Tattan*, Company "B," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John W. Tattan*, Company "B," 7th Infantry, "*To forfeit to the United States eight dollars of his monthly pay for the period of six months, and to be confined at hard labor, in charge of the guard, for the same period.*"

5th. Private *John Ferris*, Company "B," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In : that Private *John Ferris*, 'B' Company, 7th U. S. Infantry, did create a disturbance in his company quarters, and when ordered by 1st Sergeant Henry J. Harris, 'B' Company, to desist, did strike him. This at Fort Shaw, M. T., in the company squad room, on or about the eighteenth day of October, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *John Ferris*, Company "B," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Ferris*, Company "B," 7th Infantry, "*To forfeit to the United States eight dollars per month of his monthly pay for the period of three months, and to be confined at hard labor, in charge of the guard, for the same period.*"

6th. Private *Winfield Copenhaver*, Company "C," 7th Infantry.

CHARGE.—"Violation 46th Article of War."

Specification.—"In this: that Private *Winfield Copenhaver*, 'C' Company, 7th Infantry, having been duly posted as a sentinel, did leave his post before being regularly relieved. This at Fort Shaw, Montana Territory, on or about the 17th day of August, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *Winfield Copenhaver*, Company "C," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Winfield Copenhaver*, Company "C," 7th Infantry, "*To forfeit to the United States eight dollars per month of his monthly pay for the period of six months, and to be confined at hard labor, under charge of the guard, during the same period.*"

II...The proceedings, findings, and sentences in the cases of Privates *Herbert Clark*, Company "B," *Frank Hoeing*, Company "B," *Hugh Fitzsimmons*, Company "C," *John W. Tattan*, Company "B," *John Ferris*, Company "B," and *Winfield Copenhaver*, Company "C," 7th Infantry, are approved. The sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *Charles E. Dayton*, Company "D," 17th Infantry.
 2. Private *Charles E. McPherson*, Company "H," 17th Infantry.
 3. Private *William Jackson*, Company "G," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA, *Saint Paul, Minn., January 13, 1872.*

GENERAL ORDERS } No. 4. }

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Par. III, Special Orders No. 166, series of 1871, from these Headquarters, and of which Captain L. H. SANGER, 17th Infantry, is President, were arraigned and tried—

1st. Private *Charles E. Dayton*, Company "D," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Charles E. Dayton*, Company 'D,' 17th Infantry, a duly enlisted soldier in the service of the United States, did desert his company, regiment, and service of the United States, on or about the 20th day of May, 1871, and did remain absent as a deserter until apprehended and brought back to the post (Fort Rice, D. T.,) under guard, on or about the 27th day of May, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Charles E. Dayton*, Company 'D,' 17th Infantry, did, on or about the 20th day of May, 1871, while absenting himself from his company and command at Fort

Rice, D. T., feloniously take, steal, and carry away with him, one (1) Springfield breech-loading musket, calibre 50, model 1868, one (1) bayonet scabbard, one (1) cartridge box, one (1) cartridge box plate, one (1) waist belt, one (1) waist belt plate, one (1) gun sling, twenty (20) rounds metallic cartridges, one (1) knapsack, one (1) haversack, one (1) canteen, one (1) bugle, two (2) letters, four (4) numbers, one (1) eagle, and one (1) pair of scales (private's). These articles being the property of the United States, and for which Captain Charles E. Clarke, 17th Infantry, was held responsible, he thereby attempting to defraud the government of the United States of the aforesaid articles of property. All this at Fort Rice, D. T., on or about the 20th day of May, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Charles E. Dayton*, Company "D," 17th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except the words one (1) bayonet scabbard, one (1) cartridge box, one (1) cartridge box plate, one (1) waist belt, one (1) waist belt plate, one (1) gun sling, one (1) bugle, one (1) knapsack, one (1) haversack, one (1) canteen, two (2) letters, four (4)

numbers, one (1) eagle, one (1) pair scales (private's). Of the excepted portion, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles E. Dayton*, Company "D," 17th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged from the service of the United States, and to be confined at hard labor, at such place as the Commanding General may direct, for the period of three (3) years.*"

2d. Private *Charles E. McPherson*, Company "H," 17th Infantry.

CHARGE.—"Desertion."

Specification. — "In this: that Private *Charles E. McPherson*, Company 'H,' 17th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Rice, D. T., on or about the 19th day of August, 1871, and did remain absent therefrom until apprehended by a party of Sioux Indians, near Grand River Agency, D. T., on or about the 22d day of August, 1871. \$30.00 paid for his apprehension. All this at or near Fort Rice, D. T., on or about the 19th day of August, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Charles E. McPherson*, Company "H," 17th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles E. McPherson*, Company "H," 17th Infantry, "*To forfeit to the United States*

all pay and allowances now due or that may become due; to be dishonorably discharged from the service of the United States, and to be confined at such place as the Commanding General may direct, for the period of three years."

3d. Private *William Jackson*, Company "G," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that Private *William Jackson*, Company 'G,' 17th Infantry, having been duly enlisted into the service of the United States, did desert the said service at Fort Rice, D. T., on or about the 21st day of September, 1871, and did remain absent until the 24th day of September, 1871, being apprehended on board the steamer 'Peninah,' near Fort Rice, D. T."

CHARGE II.—"Quitting his guard, in violation of the 50th Article of War."

Specification.—"In this: that Private *William Jackson*, Company 'G,' 17th Infantry, having been duly mounted as a member of the guard at the post of Fort Rice, D. T., on the 21st day of September, 1871, and having in his charge two prisoners, under charges for desertion and theft, did, without necessity or the leave of his superior officers, quit his guard, and did take with him the said prisoners. All this at Fort Rice, D. T., on or about the 21st day of September, 1871."

CHARGE III.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *William Jackson*, Company 'G,' 17th Infantry, did, while absenting himself from his company and command, feloniously take, steal, and carry away with him one (1) Springfield breech-loading rifled musket and forty (40) rounds of ammunition, the property of the United States, for which his company Commander, Captain Louis H. Sanger, 17th Infantry, is responsible, thereby defrauding the Government of the United States of the aforesaid articles of property. All this at Fort Rice, D. T., on or about the 21st day of September, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *William Jackson*, Company "G," 17th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Jackson*, Company "G," 17th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due; to be dishonorably discharged the service of the United States; and to be confined at hard labor at such place as the Commanding General may direct, for the period of three (3) years.*"

II...The proceedings, findings, and sentences in the cases of Privates *Charles E. Dayton*, Company "D," and *William Jackson*, Company "G," 17th Infantry, are approved. The sentences will be duly executed. Fort Rice, D. T., is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *Charles E. McPherson*, Company "H," 17th Infantry, are approved, but, upon the recommendation of the members of the Court, the sentence is mitigated to a forfeiture of all pay and allowances now due. As thus mitigated, it will be duly executed. Private *McPherson* will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *John Hannan*, Company "K," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 26, 1872.

GENERAL ORDERS }
No. 5. }

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Par. IV, Special Orders No. 165, series of 1871, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, was arraigned and tried—

Private *John Hannan*, Company "K," 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *John Hannan*, Company 'K,' 7th Infantry, being a member of the guard, and having been placed in charge of certain prisoners, did allow one William Zeilke, a prisoner, to escape, thereby neglecting his duty as a sentinel. This at or near Fort Shaw, M. T., on or about the 31st day of July, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Hannan*, Company "K," 7th Infantry, as follows:

Of the *Specification*, "Guilty."
 Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Hannan*, Company "K," 7th Infantry, "*To forfeit to the United States ten dollars per month from his monthly pay for the period of six months, and to be confined at hard labor, in charge of the guard, for three months.*"

II...The proceedings and findings in the foregoing case of Private *John Hannan*, Company 'K,' 7th Infantry, are approved. The sentence is remitted. Private *Hannan* will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *John O'Neill*, Company "K," 20th Infantry.
 2. Private *Charles Stanton*, Company "I," 20th Infantry.
 3. Private *Charles Stewart*, Company "I," 20th Infantry.
 4. Private *John Pickington*, Company "I," 20th Infantry.
 5. Private *George McManus*, Company "I," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA, *Saint Paul, Minn., January 27, 1872.*

GENERAL ORDERS, }
No. 6. }

I...Before a General Court Martial which convened at Fort Pembina, D. T., by virtue of Special Orders No. 262, series of 1871, from these Headquarters, and of which Captain *LOYD WHEATON*, 20th Infantry, is President, were arraigned and tried—

1st. Private *John O'Neill*, Company "K," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *John O'Neill*, Company 'K,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 14th day of May, 1871, and did remain absent until apprehended and brought back under guard, on or about the 16th day of May, 1871. This at Fort Pembina, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John O'Neill*, Company "K," 20th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John O'Neill*, Company "K," 20th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and to be confined at hard labor in such military prison as the Commanding General of the Department may direct, for the period of three (3) years.*"

2d. Private *Charles Stanton*, Company "I," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Charles Stanton*, Company 'I,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 11th day of August, 1871, and did remain absent until apprehended and brought back, on or about the 12th day of August, 1871. All this at or near Fort Pembina, D. T."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Charles Stanton*, Company "I," 20th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Stanton*, Company "I," 20th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and be confined at hard labor in such military prison as the Commanding General of the Department may direct, for the period of three (3) years.*"

3d. Private *Charles Stewart*, Company "I," 20th Infantry.

CHARGE.—"Desertion."

Specification. — "In this: that he, Private *Charles Stewart*, Company 'I,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, on or about the 23d day of September, 1870, at Fort Pembina, D. T., and did remain absent until apprehended on board steamboat 'International,' near Fort Pembina, D. T., on the 29th day of June, 1871."

To which charge and specification the accused pleaded as follows:

To the Specification, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *Charles Stewart*, Company "I," 17th Infantry, as follows:

Of the Specification, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles Stewart*, Company "I," 20th Infantry, "*To forfeit to the United States all pay and allowances now due, or that may become due; to be dishonorably discharged the service of the United States, and to be confined at hard labor in such military prison as the Commanding General of the Department may direct, for the period of three (3) years.*"

4th. Private *John Pickington*, Company "I," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *John Pickington*, Company 'I,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, on or about the 11th day of August, 1871, and did remain absent until apprehended and brought back, on or about the 12th day of August, 1871. All this at or near Fort Pembina, D. T."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Pickington*, Company "I," 20th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Pickington*, Company "I," 20th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged the service of the United States, and be confined at hard labor, in such military prison as the Commanding General of the Department may direct for the period of three (3) years.*"

5th. Private *George McManus*, Company "I," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *George McManus*, Company 'I,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, on or about the 11th day of August, 1871, and did remain absent until apprehended and brought back, on or about the 12th day of August, 1871. All this at or near Fort Pembina, D. T."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *George McManus*, Company "I," 20th Infantry, as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George McManus*, Company "I," 20th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due ; to be dishonorably discharged the service of the United States, and be confined at hard labor, in such military prison as the Commanding General of the Department may direct, for the period of three (3) years.*"

II...The proceedings, findings, and sentences in the foregoing cases of Private *John O'Neill*, Company "K," 20th Infantry, and Privates *Charles Stanton*, *Charles Stewart*, *John Pickington*, and *George McManus*, Company "I," 20th Infantry, are approved. The sentences will be duly executed. Fort Pembina, D. T., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Pembina, D. T., by virtue of Special Orders No. 262, series of 1871, from these Headquarters, and of which Captain *LOYD WHEATON*, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *Thomas McCauley*, Company "C," 17th Infantry.
 2. Private *Owen Boyle*, Company "F," 22d Infantry.
 3. Sergeant *John S. Tunnick*, Company "F," 17th Infantry.
 4. Private *William T. H. Clark*, Company "F," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., January 29, 1872.

GENERAL ORDERS) No. 7.)

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Par. IV, Special Orders No. 244, series of 1871, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, were arraigned and tried—

1st. Private *Thomas McCauley*, Company "C," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Thomas McCauley*, Company 'C,' 17th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Cheyenne Agency, D. T., on or about the 8th day of August, 1871, and did remain absent therefrom until apprehended at or near Fort Randall, D. T., on or about the 18th day of August, 1871; \$30.00 paid for his apprehension. All this on or about the times and places above specified."

To which charge and specification the accused pleaded as follows:

To the Specification, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *Thomas McCauley*, Company "C," 17th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas McCauley*, Company "C," 17th Infantry, "*To forfeit to the United States all pay and allowances now due or to become due him; to be confined at hard labor, under charge of the guard, at the place where his company may be serving, for the period of two (2) years, wearing a ball and chain weighing twenty (20) pounds; and then to be dishonorably discharged and drummed out of the service of the United States.*"

2d. Private *Owen Boyle*, Company "F," 22d Infantry.

CHARGE I.—"Violation of the 6th Article of War."

Specification.—"In this: that he, Private *Owen Boyle*, Company 'F,' 22d Infantry, did visit the quarters of Captain S. A. Wainwright, 22d Infantry, after tattoo, and when ordered by the said Captain Wainwright to leave his quarters, did refuse to do so, and did strike and use the following abusive and disrespectful language towards him, to wit: 'You God damned Englishman,' or words to that effect, the said Captain Wainwright being in the execution of his office as Officer of the Day, and as such entitled to require the obedience of the said Private *Owen Boyle*. This at Fort Sully, D. T., on or about the 31st day of May, 1871."

CHARGE II.—"Violation of the 9th Article of War."

Specification I.—"In this: that he, Private *Owen Boyle*, Company 'F,' 22d Infantry, did visit the quarters of Captain S. A. Wainwright, 22d Infantry, after tattoo, and when ordered by the said Captain Wainwright to leave said quarters, did refuse and fail to do so, he, the said Captain Wainwright, being his superior officer, and in

the execution of his office as Officer of the Day. This at Fort Sully, D. T., on or about the 31st day of May, 1871."

Specification II.—"In this: that he, Private *Owen Boyle*, Company 'F,' 22d Infantry, did visit the quarters of his superior officer, Captain S. A. Wainwright, 22d Infantry, after tattoo, and when ordered to leave said quarters, did refuse to do so, and did offer violence to and strike his superior officer, Captain S. A. Wainwright, he being in the execution of his office as Officer of the Day. All this at Fort Sully, D. T., on or about the 31st day of May, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *Owen Boyle*, Company "F," 22d Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Owen Boyle*, Company "F," 22d Infantry, "To be confined at hard labor, in charge of the

guard, at Fort Sully, D. T., for the remainder of his term of enlistment, which expires October 28th, 1874, wearing a ball and chain weighing thirty (30) pounds; to forfeit all pay and allowances now due or to become due, and then to be dishonorably discharged and drummed out of the service of the United States."

3d. Sergeant *John S. Tunnicliff*, Company "F," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, *John S. Tunnicliff*, sergeant, Company 'F,' 17th U. S. Infantry, did knowingly and wittingly aim and fire off the contents of one chamber of a loaded pistol, with intent to do grievous bodily harm, at the person of Private William Hutchinson, Company 'A,' 17th U. S. Infantry, and did attempt and try to fire said pistol a second time, until prevented from so doing by Private Patrick Hogan, Company 'A,' 17th U. S. Infantry. All this at military station, Grand River Agency, Dakota Territory, on or about the 17th day of June, 1871."

Specification II.—"In this: that he, the said *John S. Tunnicliff*, sergeant, Company 'F,' 17th U. S. Infantry, did, without any reasonable provocation, strike and throttle Private William Hutchinson, Company 'A,' 17th U. S. Infantry. This at military station of Grand River Agency, Dakota Territory, on or about the 17th day of June, 1871."

Specification III.—"In this: that he, the said *John S. Tunnicliff*, sergeant, Company 'F,' 17th U. S. Infantry, being regularly detailed in the Quartermaster's Department, superintending the labor of troops, did become drunk while so employed. This at the military station of Grand River Agency, Dakota Territory, on or about the 17th day of June, 1871."

Specification IV.—"In this: that he, the said *John S. Tunnicliff*, sergeant, Company 'F,' 17th Infantry, on being taken to the guard-house by Sergeant Benjamin Fillbrooke, Company 'A,' 17th U. S. Infantry, did say to 1st Lieutenant James Joyes, 17th U. S. Infantry, Officer of the Day: 'You had better confine me, else I

will shoot that man,' meaning thereby Private William Hutchinson, Company 'A,' 17th U. S. Infantry. This at the military station of Grand River Agency, D. T., on or about the 17th day of June, 1871."

To which charge and specifications the accused pleaded as follows :

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the 4th *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Sergeant *John S. Tunnickiff*, Company "F," 17th U. S. Infantry, as follows :

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Not Guilty."

Of the 4th *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *John S. Tunnickiff*, Company "F," 17th U. S. Infantry, "*To be reduced to the ranks, and to forfeit to the United States all pay and allowances now due or to become due him, and to be confined at hard labor, in the Penitentiary at Stillwater, Minnesota, for the period of two (2) years, and then to be dishonorably discharged the service of the United States.*"

4th. Private *William T. H. Clark*, Company "F," 17th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that Private *William T. H. Clark*, Company 'F,' 17th Infantry, U. S. A., having been regularly detailed for fatigue, and ordered to report to Sergeant Edward Huyeth, Com-

pany 'F,' 17th Infantry, U. S. A., Acting Quartermaster Sergeant of Grand River Military Station, for fatigue duty, by 1st Sergeant John McRae, Company 'F,' 17th Infantry, U. S. A., the said sergeant being in the execution of his office, did say in the company quarters, Company 'F,' 17th Infantry, and in the presence of enlisted men of the company, 'that it was a damn mean trick on the part of said sergeant to detail him for fatigue,' or words to that effect. All this on or about the 5th day of August, 1871, between the hours of 5 A. M. and 8 A. M., at Grand River Military Station, D. T."

Specification II.—"In this: that Private *William T. H. Clark*, Company 'F,' 17th Infantry, U. S. A., having been regularly ordered to clean certain cooking utensils,—camp kettles and mess pans,—belonging to Company 'F,' 17th Infantry, U. S. A., by 1st Sergeant John McRae, Company 'F,' 17th Infantry, U. S. A., the said sergeant being in the execution of his office, and did positively refuse and fail to obey said order, and did continue to refuse to obey the order, and did say, 'he would not obey the order, and clean the cooking utensils for any God damn man or officer; that he would see them all God damned a hundred times and in hell; that he would suffer death and a hundred Courts Martial before he would do it; that if the 1st sergeant continued to insist on his cleaning the camp kettles and mess pans, he would murder the said Sergeant McRae,' or words to that effect; and did willfully continue to disobey the order. All this between the hours of 5 o'clock A. M., and 8 o'clock A. M., on or about the 5th of August, 1871, at Grand River Military Station, D. T."

CHARGE II.—"Disobedience of orders."

Specification I.—"In this: that Private *William T. H. Clark*, Company 'F,' 17th Infantry, U. S. A., having been placed in custody of the guard, and having received through the sergeant of the guard,—Sergeant John Massena, Company 'F,' 17th Infantry, U. S. A.,—the order of the Officer of the Day, Captain Clarence E. Bennett, 17th Infantry, U. S. A., to clean certain camp kettles and mess pans belonging to Company 'F,' 17th Infantry, U. S. A., positively and willfully refused to obey said order, and did say 'he

would not obey the order for any God damned officer, and not if Jesus Christ should come down,' or words to that effect. The said Captain Clarence E. Bennett being his superior officer in the execution of his office. All this between the hours of 8 o'clock A. M., on the 5th day of August, 1871, and 8 o'clock A. M., on the 6th day of August, 1871, at Grand River Military Station, D. T."

Specification II.—"In this: that Private *William T. H. Clark*, Company 'F,' 17th Infantry, U. S. A., having been ordered by the Officer of the Day, 1st Lieutenant James Joyes, 17th Infantry, U. S. A., to clean certain mess pans and camp kettles belonging to Company 'F,' 17th Infantry, U. S. A., did positively refuse to obey this order, and did say, 'he would not obey this order,' when ordered by said Lieutenant Joyes, or ordered by Captain Clarence E. Bennett, 17th Infantry, U. S. A., or words to that effect, and did continue to disobey said order, and did further say, 'he would not obey the order unless he could see the Commanding Officer first, and be ordered by the Commanding Officer to do it.' The said Lieutenant James Joyes, 17th Infantry, U. S. A., being at the time his superior officer, in the execution of his office. All this between the hours of 8 o'clock A. M., August 6th, 1871, and 8 o'clock A. M., August 7th, 1871, at Grand River Military Station, D. T."

Specification III.—"In this: that Private *William T. H. Clark*, Company 'F,' 17th Infantry, U. S. A., having been ordered by his superior officer, the Officer of the Day, Captain Clarence E. Bennett, 17th Infantry, U. S. A., through the sergeant of the guard, Sergeant A. G. Potter, Company 'A,' 17th Infantry, to clean certain mess pans and camp kettles belonging to Company 'F,' 17th Infantry, U. S. A., did positively refuse to obey said order. The said Captain Bennett and said sergeant of the guard each being at the time in the execution of their office. All this on or about the morning of August 7th, 1871, between the hours of 8 and 10 o'clock A. M., at Grand River Military Station, D. T."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Guilty, except the words 'for any God damn man or officer; that he would see them all God damned a hundred times and in hell; that he would suffer death and a hundred Courts Martial before he would do it; that if the 1st sergeant continued to insist on his cleaning the camp kettles and mess pans he would murder the said Sergeant McRae, or words to that effect,' to the excepted portion, Not Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty, except the words, 'he would not obey the order for any God damned officer, and not if Jesus Christ should come down, or words to that effect,' to the excepted portion, Not Guilty."

To the 2d *Specification*, "Guilty."

To the 3d *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *William T. H. Clark*, Company "F," 17th Infantry, as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty, except the word 'regularly,' and the words 'for any God damned man or officer; that he would see them all God damned a hundred times and in hell; that he would suffer death and a hundred Courts Martial before he would do it; that if the 1st sergeant continued to insist on his cleaning the camp kettles and mess pans he would murder the said Sergeant McRae, or words to that effect,' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty, except the words 'for any God damned officer and,' and of the excepted words, Not Guilty."

Of the 2d Specification, "Guilty."

Of the 3d Specification, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William T. H. Clark*, Company "F," 17th Infantry, "*To be confined, in charge of the guard, for thirty (30) days, and to forfeit to the United States ten dollars (\$10.00) of his monthly pay for three (3) months.*"

II...The proceedings, findings, and sentence in the case of Private *Thomas McCauley*, Company "C," 17th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings, and sentence in the case of Private *Owen Boyle*, Company "F," 22d Infantry, are approved. The record in this case is accompanied by a recommendation for the remission of the sentence, subscribed by seven of the ten members present at the trial, and based upon the prisoner's good character previous to the commission of the offences of which he was convicted, and his good conduct during confinement. In any ordinary case the Major General Commanding would defer to such a recommendation—at least to the extent of a mitigation of the punishment—but the interests of the service preclude his taking such action with reference to this prisoner. The offences committed by him are of the most serious known to military law. None other more directly affect the efficiency of the Army. The principal object of all military punishment is to deter others from committing like offences, and to take the action recommended in this instance would vitiate every good result which might be expected to follow the exemplary punishment imposed.

So important an element of military discipline—so necessary to the very existence of the Army—was respect towards, and obedience of, the lawful orders of superior officers regarded at the time our Rules and Articles of War were adopted, that death was not considered too severe a punishment for a certain class of offences committed in violation of such obligation to respect and obey. What was true then in this regard is true now. The efficiency of the Army depends upon the proper relation of the inferior to the superior. When that relation is destroyed, the Army will have lost its usefulness, and will cease to inspire respect.

For these reasons the Major General Commanding declined to restore this man to duty without trial, when, upon a former occasion, a recommendation was made to that effect. Consistently with such action—for the record does not present the case in a less aggravated form than as originally submitted in the charges—he is induced now to order that the sentence be duly executed.

The proceedings, findings, and sentence in the case of Sergeant *John S. Tunnicliff*, Company "F," 17th Infantry, are approved, and the sentence will be duly executed. The action of the Court in designating the Minnesota State Prison at Stillwater, Minnesota, as the place of confinement, is confirmed, it being impracticable at present to return the proceedings for a reconsideration of the sentence. Attention is, however, invited to the fact that the designation of the place of confinement should be left to the reviewing officer. This is his province; and it may happen that the place of confinement designated by the Court is not available for the purpose.

The proceedings, findings, and sentence in the case of Private *William T. H. Clark*, Company "F," 17th Infantry, are approved, and the sentence will be duly executed. For reasons similar to those already given in the case of Private Owen Boyle, the recommendation made in the prisoner's behalf cannot be entertained, particularly in view of the striking leniency of the sentence imposed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *George Johnson*, Company "I," 6th Infantry.
 2. Private *Edward Baker*, Company "E," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 5, 1872.

GENERAL ORDERS, { No. 8. }

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 267, series of 1871, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried—

1st. Private *George Johnson*, Company "I," 6th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *George Johnson*, a duly enlisted soldier in the service of the United States, did desert the same at Dry Wood Creek, Kansas, on or about May 10, 1871, and so remain absent until apprehended at La Crosse, Wis., on or about the 15th day of September, 1871. All this at or near the places and dates above specified."

ADDITIONAL CHARGE.—"Desertion."

Specification.—"In this: that he, Private *George Johnson*, Company 'I,' 6th Infantry, did, while in confinement awaiting trial for desertion, desert the service of the United States at Fort Snelling, Minn., on the 21st day of October, 1871, and did remain absent until apprehended at or near Shakopee, Minn., on or about October 22, 1871."

To which charges and specifications the prisoner pleaded as follows:

CHARGE.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

ADDITIONAL CHARGE.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the prisoner, Private *George Johnson*, Company "I," 6th Infantry, as follows:

CHARGE.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

ADDITIONAL CHARGE.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Johnson*, Company "I," 6th Infantry, *"To forfeit all pay and allowances that are or may become due him; to be dishonorably discharged and drummed out of the service, and to be confined at hard labor, at such military prison as the Department Commander may designate, for five (5) years, wearing a ball and chain weighing twelve (12) pounds."*

2d. Private *Edward Baker*, Company "E," 20th Infantry.

CHARGE I.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this: that he, Private *Edward Baker*, Company 'E,' 20th Infantry, having been by competent authority detailed as teamster in the Quartermaster's Department at Fort Snelling,

Minn., and having been ordered by his superior officer, 1st Lieutenant T. W. Lord, 20th Infantry, Post Quartermaster, in the due execution of his office—said order being given through Quartermaster Sergeant John D. Bentz, 20th Infantry—to proceed to the Minnesota river with a team and a snow scoop and commence removing the snow from a section of ice in said river, described by said* Quartermaster Sergeant John D. Bentz, did fail to comply with so much of the order as required the removal of the snow. This at Fort Snelling, Minn., on the afternoon of the 22d December, 1871.”

CHARGE II.—“Conduct to the prejudice of good order and military discipline.”

Specification.—“In this: that he, Private *Edward Baker*, Company ‘E,’ 20th Infantry, did, in the presence of enlisted men of the U. S. A., upon being addressed by Quartermaster Sergeant John D. Bentz, 20th Infantry, officially and in the due execution of his office, make use of the following language towards him, ‘You son of a bitch,’ or words to that effect, and did several times repeat the remark. This at Fort Snelling, Minn., on the afternoon of the 22d December, 1871.”

To which charges and specifications the prisoner pleaded as follows:

CHARGE I.

To the *Specification*, “Not Guilty.”

To the **CHARGE**, “Not Guilty.” —

CHARGE II.

To the *Specification*, “Not Guilty.”

To the **CHARGE**, “Not Guilty.”

FINDING.

The Court, having maturely considered the evidence adduced, finds the prisoner, Private *Edward Baker*, Company “E,” 20th Infantry, as follows:

CHARGE I.

Of the *Specification*, “Not Guilty.”

Of the **CHARGE**, “Not Guilty.”

CHARGE II.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore acquit him.

II...The proceedings, findings, and sentence in the case of Private *George Johnson*, Company "I," 6th Infantry, are approved, and the sentence will be duly executed. Fort Snelling, Minn., is designated as the place of confinement.

The proceedings, findings, and acquittal in the case of Private *Edward Baker*, Company "E," 20th Infantry, are approved. Orders have been issued for his release from confinement and restoration to duty.

III...The General Court Martial convened at Fort Snelling, Minn., by virtue of Special Orders No. 267, series of 1871, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 15, 1872.

GENERAL ORDERS }
No. 9. }

As a rule, butter, cheese, lard, hams, and other readily perishable articles of officers' stores, will not be sent to distant posts in this Department, except in spring and autumn.

Immediately upon the arrival of such stores at any post, the Commanding Officer will require the Acting Commissary of Subsistence to carefully examine the packages, and in the case of butter, test the brine, and report to the Chief Commissary of Subsistence of the Department what measures he has taken to guard against damage.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *William Oakes*, Company "G," 20th Infantry.
 2. Private *John Hopkins*, Company "G," 20th Infantry.
 3. Private *Benjamin F. Collett*, Company "G," 20th Infantry.
 4. Private *Edward Wells*, Company "G," 20th Infantry.
 5. Private *John Cody*, Company "G," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 17, 1872.

GENERAL ORDERS } No. 10. }

I...Before a General Court Martial which convened at Fort Ripley, Minn., by virtue of Special Orders No. 17, current series, from these Headquarters, and of which Captain WILLIAM FLETCHER, 20th Infantry, is President, were arraigned and tried—

1st. Private *William Oakes*, Company "G," 20th Infantry.

CHARGE I.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In this: that he, Private *William Oakes*, Company 'G,' 20th Infantry, did absent himself from his company quarters, thereby disobeying the lawful orders of his superior and Commanding Officer, Captain Wm. S. McCaskey, 20th Infantry. This at Fort Ripley, Minn., on or about the night of the 20th December, 1871."

CHARGE II.—"Absence without leave, in violation of the 21st Article of War."

Specification.—"In this: that Private *William Oakes*, Company 'G,' 20th Infantry, did absent himself, without leave from his Commanding Officer. This at Fort Ripley, Minn., on or about the night of December 20th, 1871."

CHARGE III.—"Violation of the 42d Article of War."

Specification.—"In this: that Private *William Oakes*, Company 'G,' 20th Infantry, did lie out of his quarters, without leave from his superior officer, Captain Wm. S. McCaskey, 20th Infantry. This at Fort Ripley, Minn., on or about the night of December 20th, 1871."

CHARGE IV.—"Conduct to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specification.—"In this: that Private *William Oakes*, Company 'G,' 20th Infantry, having at several different times absented himself without leave, from his company, and having been punished therefor, did, upon being released, promise his Commanding Officer to perform his duties properly as a soldier, and in violation of said promise, did absent himself from his company, did lie out of his quarters, and did disobey the orders of the Commanding Officer. This at Fort Ripley, Minn., on or about the night of 20th December, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE IV.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *William Oakes*, Company "G," 20th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE IV.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Oakes*, Company "G," 20th Infantry, "*To forfeit to the United States five dollars (\$5.00) of his monthly pay per month for three months.*"

2d. Private *John Hopkins*, Company "G," 20th Infantry.

CHARGE.—"Disorderly conduct, to the prejudice of good order and military discipline."

Specification. — "In this: that Private *John Hopkins*, Company 'G,' 20th Infantry, did, without provocation, and in a cowardly manner, assault and brutally maltreat Acting Hospital Steward Wil-

liam Fellmer, (Private Company 'C,' 20th Infantry,) by striking the said Fellmer, by knocking down, and by kicking and striking him when down. This at Fort Ripley, Minn., on or about the 12th day of December, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Private *John Hopkins*, Company "G," 20th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Hopkins*, Company "G," 20th Infantry, "*To forfeit to the United States all pay and allowances that are or may become due, except the just dues of his laundress; to be dishonorably discharged and drummed out of the service of the United States, and to be confined at hard labor at such military prison as the Department Commander may designate, for the period of one year, wearing a ball and chain weighing twelve pounds.*"

3d. Private *Benjamin F. Collett*, Company "G," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that Private *Benjamin F. Collett*, Company 'G,' 20th Infantry, was drunk and disorderly. This at Fort Ripley, Minn., on or about the 26th day of December, 1871."

Specification II.—"In this: that Private *Benjamin F. Collett*, Company 'G,' 20th Infantry, was drunk and disorderly in the company barracks of Company 'G,' 20th Infantry, and did endeavor to quarrel with Corporal William L. Laurence, Company 'G,'

20th Infantry. This at Fort Ripley, Minn., on or about the 26th day of December, 1871."

Specification III.—"In this: that Private *Benjamin F. Collett*, Company 'G,' 20th Infantry, did strike and kick Sergeant *Dennis Harrington* and Corporal *Wm. L. Laurence*, Company 'G,' 20th Infantry, while the said non-commissioned officers were in the performance of their duties. This at Fort Ripley, Minn., on or about the 26th day of December, 1871."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Guilty."

To the 3d *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him, Private *Benjamin F. Collett*, Company "G," 20th Infantry, as follows:

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Benjamin F. Collett*, Company "G," 20th Infantry, "To forfeit ten dollars (\$10.00) of his monthly pay per month for six months, and to be confined at hard labor, in charge of the guard, for the same period."

4th. Private *Edward Wells*, Company "G," 20th Infantry.

CHARGE I.—"Absence without leave, in violation of the 21st Article of War."

Specification.—"In this: that he, Private *Edward Wells*, Company 'G,' 20th Infantry, did absent himself from his company without

leave from his Commanding Officer. This at Fort Ripley, Minn., on or about the 12th day of December, 1871."

CHARGE II.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this: that he, Private *Edward Wells*, Company 'G,' 20th Infantry, having been regularly detailed for duty as room orderly, did become drunk. This at Fort Ripley, Minn., on or about the 12th day of December, 1871."

CHARGE III.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Edward Wells*, Company 'G,' 20th Infantry, having been regularly detailed for duty as room orderly, did neglect to perform such duty, and did absent himself therefrom without permission. This at Fort Ripley, Minn., on or about the 12th day of December, 1871."

CHARGE IV.—"Disorderly conduct, to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *Edward Wells*, Company 'G,' 20th Infantry, was drunk and disorderly, and when ordered to be confined by 1st Sergeant Frank W. Bryant, Company 'G,' 20th Infantry, did refuse to obey, and did resist Corporal Henry H. Cahn, Company 'G,' 20th Infantry, while he (Corporal Cahn) was in the execution of his office, in the effort to place the said *Wells* in confinement, and that he, the said *Wells*, with his clenched hand, did strike said Corporal Cahn. This at Fort Ripley, Minn., on or about the 12th day of December, 1871."

Specification II.—"In this: that he, Private *Edward Wells*, Company 'G,' 20th Infantry, did strike with his clenched hand, and did resist and bite 1st Sergeant F. W. Bryant, Company 'G,' 20th Infantry, while the said 1st Sergeant Bryant was in the execution of his office. This at Fort Ripley, Minn., on or about the 12th day of December, 1871."

Specification III.—"In this: that he, Private *Edward Wells*, Company 'G,' 20th Infantry, did become drunk and disorderly, and did resist 1st Sergeant Bryant, Sergeant Harrington, Corporal Dowd, and Corporal Cahn, all of Company 'G,' 20th Infantry, in their efforts to place him in confinement, and did abuse the said non-commissioned officers, by calling them 'sons of bitches,' each and severally, and did threaten to kill the said non-commissioned officers, one and all. This at Fort Ripley, on or about the 12th day of December, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE IV.

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Edward Wells*, Company "G," 20th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE IV.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty, except the word 'clenched.'"

Of the 3d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Wells*, Company "G," 20th Infantry, "*To forfeit all pay and allowances that are or may become due, except the just dues of his laundress; to be dishonorably discharged and drummed out of the service of the United States; and to be confined at hard labor in such military prison as the Department Commander may designate, for the period of one (1) year, wearing a ball and chain weighing twelve pounds.*"

5th. Private *John Cody*, Company "G," 20th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *John Cody*, Company 'G,' 20th Infantry, did feloniously take, steal, carry away, and appropriate to his own use one pistol, the property of John M. Heath, citizen. This at Log Camp, near Fort Ripley, Minn., on or about the 10th day of January, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Cody*, Company "G," 20th Infantry, as follows :

Of the *Specification*, "Guilty, except the words 'John M. Heath, citizen,' substituting therefor the words 'some unknown person.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Cody*, Company "G," 20th Infantry, "*To forfeit all pay and allowances that are or may become due, except the just dues of the laundress; to be dishonorably discharged the service, and then confined in such penitentiary as may be designated by the Commanding General of the Department, for one (1) year.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *William Oakes*, Company "G," 20th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings and findings in the cases of Privates *John Hopkins* and *Edward Wells*, Company "G," 20th Infantry, are approved. So much of the sentences as relates to their dishonorable discharge is not approved. The offences of which these men were convicted make them fit subjects for discipline in, but not for discharge from the army, which would be offering a premium for the commission of similar offences by such as might feel disposed in this manner to shorten their terms of service. The sentences in these two cases are mitigated to confinement at hard labor, in charge of the guard, for six months, and forfeiture of all pay and allowances during the same period. As thus mitigated, the sentences will be duly executed.

The proceedings, findings, and sentence in the case of Private *Benjamin F. Collett*, Company "G," 20th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings, and sentence in the case of Private *John Cody*, Company "G," 20th Infantry, are approved; his sentence will be

duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Ripley, Minn., by virtue of Special Orders No. 17, current series, Headquarters Department of Dakota, and of which Captain WILLIAM FLETCHER, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

G. C. M.

Private *John Kelly*, Company "C," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., February 20, 1872.

GENERAL ORDERS, }
No. 11. }

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Par. 4, Special Orders No. 244, series of 1871, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, was arraigned and tried—

Private *John Kelly*, Company "C," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *John Kelly*, Company 'C,' 17th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Cheyenne Agency, D. T., on or about the 8th day of August, 1871, and did remain absent therefrom until apprehended at or near Fort Randall, D. T., on or about the 18th day of August, 1871. \$30.00 reward paid for his apprehension. All this on or about the times and places above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *John Kelly*, Company "C," 17th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Kelly*, Company "C," 17th Infantry, "*To forfeit to the United States all pay and allowances now due, or to become due him; to be confined at hard labor, under charge of the guard, at the place where his company may be serving, for the period of two (2) years, wearing a ball and chain weighing twenty (20) pounds, and then to be dishonorably discharged and drummed out of the service of the United States.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *John Kelly*, Company "C," 17th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. 1st Sergeant *James Nolan*, Company "H," 17th Infantry.
 2. Sergeant *Daniel McCleary*, Company "K," 17th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA, *Saint Paul, Minn., March 1, 1872.*

GENERAL ORDERS, } No. 12. }

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 281, series of 1871, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, were arraigned and tried—

1st. 1st Sergeant *James Nolan*, Company "H," 17th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that 1st Sergeant *James Nolan*, of Company 'H,' 17th Infantry, did abuse Private John F. Coleman, Company 'K,' 17th Infantry, (attached to Company 'H,' 17th Infantry,) by insulting language, in words to wit: 'You damn son-of-a-bitch.' This in Camp No. 12, of the 'Yellowstone Expedition,' at or near Heart River, D. T., on or about the 21st day of September, 1871."

Specification II.—"In this: that he, 1st Sergeant *James Nolan*, Company 'H,' 17th Infantry, did violently assault Private John F. Coleman, Company 'K,' 17th Infantry, striking him with his fist, knocking him down, and when down, jumping with his knees upon him, while he (Coleman) was in the act of taking down his tent, and his back was turned towards 1st Sergeant *Nolan*."

This in Camp No. 12, of the 'Yellowstone Expedition,' at or near Heart River, D. T., on or about the 21st day of September, 1871."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, 1st Sergeant *James Nolan*, Company "H," 17th Infantry, as follows:

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty, except the words, 'and violently assault, knocking him down, and when down, jumping with his knees upon him,' of the excepted portion, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, 1st Sergeant *James Nolan*, Company "H," 17th Infantry, "*To forfeit to the United States one dollar (\$1.00) of his monthly pay for the period of one (1) month.*"

2d. Sergeant *Daniel McCleary*, Company "K," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that Sergeant *Daniel McCleary*, Company 'K,' 17th Infantry, (and attached to Company 'H,' 17th Infantry,) did seize hold of 1st Sergeant *James Nolan*, Company 'H,' 17th Infantry, by the throat, intending to inflict on him bodily injury, the said 1st Sergeant *James Nolan*, Company 'H,' 17th Infantry, being then in the execution of his duty. This in the company street of 'H' Company, 17th Infantry, at or near Heart River, D. T., and on or about the 21st day of September, 1871."

Specification II.—"In this: that Sergeant *Daniel McCleary*, Company 'K,' 17th Infantry, (and attached to Company 'H,' 17th Infantry,)

did strike with his fist, or fists, 1st Sergeant James Nolan, Company 'H,' 17th Infantry, the said 1st Sergeant Nolan being then in the execution of his duty. This in the company street of 'H' Company, 17th Infantry, at or near Heart River, D. T., and on or about the 21st day of September, 1871."

Specification III.—"In this: that Sergeant *Daniel McCleary*, Company 'K,' 17th Infantry, (and attached to Company 'H,' 17th Infantry), did create a disturbance in the company street of 'H' Company, 17th Infantry, by making use of boisterous and insulting language towards 1st Sergeant James Nolan, Company 'H,' 17th Infantry, to wit: 'I can fight any pusillanimous cur like that,' or words to that effect. This in the company street of 'H' Company, 17th Infantry, at or near Heart River, D. T., and on or about the 21st day of September, 1871."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Sergeant *Daniel McCleary*, Company "K," 17th Infantry, as follows:

Of the 1st *Specification*, "Guilty, except the words, 'by the throat, intending to inflict on him bodily injury, the said 1st Sergeant James Nolan, Company 'H,' 17th Infantry, being then in the execution of his duty,' and of the excepted portion, Not Guilty."

Of the 2d *Specification*, "Not Guilty."

Of the 3d *Specification*, "Guilty, with the exception of the words, 'did create a disturbance in the company street of 'H' Company, 17th Infantry,' and substituting therefor the words, 'did participate in a disturbance in the street of 'H' Company, 17th Infantry,' of the excepted words, Not Guilty; of the words substituted and the unexcepted portion, Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Sergeant *Daniel McCleary*, Company "K," 17th U. S. Infantry, "*To forfeit to the United States ten dollars (\$10.00) of his monthly pay for the period of one (1) month.*"

II...In the case of 1st Sergeant *James Nolan*, Company "H," 17th Infantry, the findings and sentence are disapproved. The Court has acquitted the accused of an assault, that is to say, of an intentional attempt, by violence, to do an injury to another, but has convicted him of battery, which is the doing of the injury. Now, either the battery was justifiable, in which case he ought not to have been convicted, or it was, in this case, the carrying out of the unlawful attempt to do injury, and necessarily involved such an unlawful attempt. To say that there was no such unlawful attempt is to say that the act was done without criminal intent, and was justifiable. Although it was not necessary that the word "assault" should have been made use of in the specification, the action of the Court is expressly excepting it has the effect mentioned. But as the finding was probably arrived at without reference to the conclusions to which it has thus given rise, this view of the matter is dismissed.

The Court, so far as its intention can be inferred from its finding to the mutilated specification and to the charge, has convicted the accused of an abuse of authority in, without justification, striking an enlisted man. The Major General Commanding recognizes the existence of no degree of this military offence for which the sentence imposed would be an adequate one. If Sergeant *Nolan* was guilty of such an abuse of authority, a manifestly appropriate punishment would have been to degrade him from the position for which he had shown his unfitness. The conclusion of the Court that the offence would be sufficiently punished by the imposition of the trifling fine of one dollar is not concurred in. Such a sentence under such circumstances seriously detracts from the respect with which the decisions of a General Court Martial should be regarded.

Sergeant *Nolan* will be released from arrest and restored to duty.

In the case of Sergeant *Daniel McCleary*, Company "K," 17th Infantry, the finding to the 1st specification is disapproved. The accused

was convicted of "seizing hold" of another, though acquitted of the intention to inflict injury. Accepting this view, the act must have been justifiable, and the proper finding to this specification would have been "Not Guilty." To touch a person in anger is battery in the eye of the law, but if done without unlawful intent or culpable negligence, it is no offence.

The findings to the 2d and 3d specifications and the charge, are approved. In order that this offender may not go unpunished, the sentence is confirmed, and will be carried into effect. A fine of ten dollars is not, however, regarded as an adequate punishment for a non-commissioned officer convicted of an offence partaking of the character of mutiny.

Sergeant *McCleary* will be released from arrest and restored to duty.

III...The General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 281, series of 1871, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 2, 1872.

GENERAL ORDERS }
No. 13. }

The following circular from the office of the Commissary General of Subsistence, dated Washington City, February 3d, 1872, is published for the information and guidance of all concerned:

OFFICE COMMISSARY GENERAL OF SUBSISTENCE,

Washington City, February 3d, 1872.

CIRCULAR:

Lieut. Colonel H. F. Clarke,

A. C. G. S., Chief U. S. Division of the Mo.:

SIR:

It is observed that in some cases Post Commissaries purchase, as "savings from the ration," articles of which they have a full supply on hand, and which are therefore not required for re-issue.

You will please cause the attention of Post Commissaries in the Military Division of which you are Chief Commissary, to be called to paragraph 1, of War Department General Orders No. 18, of 1866, which authorizes the purchase by the Subsistence Department, of articles saved from the ration only "when it (the Subsistence Department) *requires them for re-issue.*" That is, when such articles and quantities are necessary to enable the Commissary to meet the requirements of the garrison during a reasonable period of time, depending upon the circumstances of the post as to climate, storage, facility of communication with it, &c.

When by the purchase of any particular article there would result an undue accumulation thereof, and consequently liability of loss to the United States by its deterioration from age or other causes, the Commissary should decline to purchase any of the article.

Respectfully,

Your obedient servant.

(Signed.)

A. B. EATON,

Commissary General Subsistence.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

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G. C. M.

1. Private *Henry Kæpke*, Company "H," 22d Infantry.
 2. Private *Louis Close*, Company "G," 22d Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 4, 1872.

GENERAL ORDERS } No. 14. }

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders No. 20, current series, from these Headquarters, and of which Lieutenant Colonel ELWELL S. OTIS, 22d Infantry, is President, were arraigned and tried—

1st. Private *Henry Kæpke*, Company "H," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Henry Kæpke*, Company 'H,' 22d Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Fort Randall, D. T., on or about the 22d day of August, 1871, and did remain absent therefrom until apprehended at or near Sioux City, Iowa. This at Fort Randall, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Henry Kæpke*, Company "H," 22d Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Kæpke*, Company "H," 22d Infantry, "*To forfeit to the United States his monthly pay for the period of two (2) years, and to be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the same period.*"

2d. Private *Louis Close*, Company "G," 22d Infantry.

CHARGE I.—"Violation of the 9th Article of War."

Specification I.—"In this: that he, Private *Louis Close*, a duly enlisted soldier in the service of the United States, and private of 'G' Company, 22d Infantry, having been ordered into confinement by 1st Lieutenant Martin E. Hogan, 22d Infantry, Officer of the Day of the post of Fort Randall, D. T., who was engaged in the execution of his office, offer violence to the said Lieut. Hogan, and did assume a hostile and threatening attitude, and did say to the said Lieut. Hogan, 'Hogan, I knowed you in sixty-six, you God damn lubber you,' or words to that effect. All this at Fort Randall, D. T., on or about the 8th day of January, 1872."

Specification II.—"In this: that he, Private *Louis Close*, Company 'G,' 22d Infantry, did, when ordered into the guard-house by 1st Lieutenant Martin E. Hogan, 22d Infantry, Officer of the Day of the post of Fort Randall, D. T., who was engaged in the execution of his office, refuse to obey such order, and was forcibly taken in by the non-commissioned officers of the guard. All this at Fort Randall, D. T., on or about the 8th day of January, 1872."

CHARGE II.—"Drunkenness on duty."

Specification.—"In this: that he, Private *Louis Close*, Company 'G,' 22d Infantry, having been properly detailed for duty in his company mess hall, did become so much under the influence of intoxicating liquor as to render him unable to perform the duties assigned him."

All this at Fort Randall, D. T., on or about the 8th day of January, 1872."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the 1st *Specification*, "Guilty of the words, 'Hogan, I knowed you in sixty-six, you lubber you,' and of the remaining portion of the specification, Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Louis Close*, Company "G," 22d Infantry, as follows :

CHARGE I.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Louis Close*, Company "G," 22d Infantry, "To be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of nine (9) months, and to forfeit to the United States ten (10) dollars per month of his monthly pay for the same period."

II...The proceedings, findings, and sentences in the foregoing cases of Private *Henry Kæpke*, Company "H," 22d Infantry, and Private *Louis*

Close, Company "G," 22d Infantry, are approved, and the sentences will be duly executed.

III...The General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders No. 20, current series, from these Headquarters, and of which Lieutenant Colonel ELWELL S. OTIS, 22d Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 6, 1872.

GENERAL ORDERS }
No. 15. }

The Second Auditor of the Treasury Department, having made complaint to the War Department that long delays in the settlement of claims of heirs of deceased soldiers are occasioned by the laxity of officers of the Army in not forwarding proper returns and reports in cases of death of enlisted men, the attention of Post and Company Commanders in this Department is called to the requirements of Article XVII of the Revised Army Regulations.

In future a strict and speedy compliance therewith is enjoined and will be exacted.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 12, 1872.

GENERAL ORDERS)
No. 16.)

The following official letter from the Solicitor General, addressed to the Hon. W. W. Belknap, Secretary of War, is published for the information and guidance of officers in this Command, viz:

DEPARTMENT OF JUSTICE,

Washington, March 4, 1872.

HON. WM. W. BELKNAP,

Secretary of War.

DEAR GENERAL:—I have the pleasure to advise you that Judge Field read an opinion of the Supreme Court this morning, wherein it is held that neither a State court nor a State officer of any kind can discharge upon *Habeas Corpus* a person held to the military service of the United States, although it may appear that the party, when enlisted, was under age, and that the enlistment was without the consent of his parent or guardian.

The opinion of the Court applies the principles decided in the case of Ableman and Booth, reported in 21st Howard, to cases of military retention, and sustains, *to the fullest extent*, my opinion given to you on the 19th of June last in the matter of Captain Snyder, United States Army.

The opinion of Judge Field was concurred in by all the Judges except the Chief Justice, who read a short dissenting opinion.

* * * * *

* *

it is proper to say, that the Supreme Court has held that it is the duty of an officer of the United States, to whom a writ of *Habeas Corpus* is issued by a State Judge, to make return to the writ, stating the fact that the prisoner is held under authority, or color of authority, of the United States, and to decline to produce him. *

* * *

Very truly yours,

(Signed.)

B. H. BRISTOW,

Solicitor General.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Private *John Flynn*, Company "D," 7th Infantry.
 2. Private *Henry Maloney*, Company "I," 7th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA

Saint Paul, Minn., March 19, 1872.

GENERAL ORDERS, }
No. 17. }

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders Nos. 158 and 163, series of 1871, from these Headquarters, and of which Lieut. Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried—

1st. Private *John Flynn*, Company "D," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *John Flynn*, Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Fort Buford, D. T., on or about the 4th day of July, 1871, and did remain absent therefrom until apprehended and brought back as a deserter. This at Fort Buford, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Flynn*, Company "D," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Flynn*, Company "D," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged and drummed out of the service of the United States, and then to be confined in such military prison as the Commanding General may designate, for the period of two years.*"

2d. Private *Henry Maloney*, Company "I," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Henry Maloney*, Company 'I,' 7th U. S. Infantry, having been duly enlisted into the service of the United States, did desert the same on or about the 4th day of July, 1871, and did remain absent until apprehended and brought back on the 16th day of September, 1871. This at Fort Buford, D. T."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Henry Maloney*, Company 'I,' 7th U. S. Infantry, did feloniously take, steal, and carry away and appropriate to his own use the following property of the United States, viz.: one (1) Springfield breech-loading rifled musket, and forty (40) rounds of ammunition, for which Captain *Charles C. Rawn*, 7th Infantry, was responsible. This at Fort Buford, D. T., on or about the 4th day of July, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Henry Maloney*, Company "I," 7th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Maloney*, Company "I," 7th Infantry, "*To forfeit to the United States all pay and allowances that are due, or that may become due; to be dishonorably discharged and drummed out of the service of the United States, and then to be confined in such prison as the Commanding General may designate, for the period of four (4) years.*"

II...In the case of Private *John Flynn*, Company "D," 7th Infantry, the proceedings, findings, and sentence are approved. The sentence is modified so as to make the dishonorable discharge and drumming out of the service take effect at the expiration of his term of confinement. As thus modified it will be duly executed. Fort Buford, D. T., is designated as the place of confinement.

In the case of Private *Henry Maloney*, Company "I," 7th Infantry, the proceedings, findings and sentence are approved, and the sentence

will be duly executed. Fort Buford, D. T., is designated as the place of confinement. It is generally customary in similar cases of other than purely military offences to designate a penitentiary as the place of confinement, but when such is the intention of the Court it should be so expressly stated, for, although all penitentiaries are prisons, all prisons are not penitentiaries.

The terms of confinement in both the foregoing cases will be deemed to have commenced on the 1st day of January, 1872.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Hospital Steward *James A. Ames*, U. S. A.
 2. Trumpeter *Charles Moore*, Company "F," 2d Cavalry.
 3. Private *John Doherty*, Company "H," 2d Cavalry.
 4. Private *Horace P. Gordon*, Company "L," 2d Cavalry.
 5. Private *Charles Moore*, Company "F," 2d Cavalry.
 6. Private *John Williams*, Company "F," 2d Cavalry.
 7. Private *Joseph W. Deyo*, Company "A," 7th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 21, 1872.

GENERAL ORDERS }
No. 18. }

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of Special Orders Nos. 141 and 207, series of 1871, from these Headquarters, and of which Captain ED. BALL, 2d Cavalry, is President, were arraigned and tried—

1st. Hospital Steward *James A. Ames*, U. S. A.

CHARGE.—“Conduct to the prejudice of good order and military discipline.”

Specification I.—“In this: that he, Hospital Steward *James A. Ames*, U. S. A., did induce P. H. Clark, a citizen, to sign a voucher for supplies furnished to the Post Hospital, at Camp Baker, M. T., during the month of December, 1870, amounting to nine dollars and fifty cents, (\$9.50,) and did draw the said sum of nine dollars and fifty cents (\$9.50) from the Post Commissary of Subsistence, and apply the same to his own use, failing to pay the said P. H. Clark for the supplies furnished. This at or near Camp Baker, M. T., on or about the 31st day of December, 1870.”

Specification II.—"In this: that he, Hospital Steward *James A. Ames*, U. S. A., did cause two boxes containing medicines and instruments, the property of the United States, to be conveyed to Diamond City, M. T., for the purpose of selling the same, by John Potter, an employee of the Post Trader, and was induced to return them only by the threats of the said John Potter and other citizens. This at or near Camp Baker, M. T., on or about May 26, 1871."

Specification III.—"In this: that he, Hospital Steward *James A. Ames*, U. S. A., did make to Assistant Surgeon Clarence Ewen, U. S. A., the following statement in relation to certain hospital stores sent from the post hospital to Diamond City, M. T., by his, Hospital Steward *James A. Ames*, order, viz.: 'There has been a good deal of talk about some boxes containing empty bottles which I sent to Diamond City,' or words to that effect, which statement he, Hospital Steward *James A. Ames*, knew to be false, and intended to deceive said Assistant Surgeon Clarence Ewen, U. S. A. This at or near Camp Baker, M. T., on or about August 1st, 1871."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Hospital Steward *James A. Ames*, U. S. A., as follows:

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty, excepting the words 'and other citizens,' of the excepted words 'Not Guilty.'"

Of the 3d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Hospital Steward *James A. Ames*, U. S. Army, "To forfeit to the United States all pay and allow-

ances now due, or to become due, excepting twenty (20) dollars, and to be dishonorably discharged from the service of the United States."

2d. Trumpeter *Charles Moore*, Company "F," 2d Cavalry.

CHARGE.—"Violation of the 99th Article of War."

Specification I.—"In this: that he, Trumpeter *Charles Moore*, Company 'F,' 2d Cavalry, a prisoner in the post guard-house at Fort Ellis, M. T., having been ordered up-stairs into the prisoners' room, by proper authority, did refuse to go, and when being taken up did strike Sergeant John Blade, Company "F," 2d Cavalry, he being in the execution of his duty as sergeant of the guard. This at Fort Ellis, M. T., on or about the 16th day of November, 1871."

Specification II.—"In this: that he, Trumpeter *Charles Moore*, Company 'F,' 2d Cavalry, a prisoner in the post guard-house, at Fort Ellis, M. T., while being taken to the prisoners' room, did struggle with the guard, and did undertake to get a carbine from the gun-rack in the guard-room, and did make use of the following language: 'You son-of-a-bitch,' (meaning Sergeant John Blade, Company 'F,' 2d Cavalry,) 'I will get square with you when I get out of this,' or words to that effect. This at Fort Ellis, M. T., on or about the 16th day of December, 1871."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Trumpeter *Charles Moore*, Company "F," 2d Cavalry, as follows:

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty, excepting the words 'and did undertake to get a carbine from the gun-rack in the guard-room,' and of the excepted words 'Not Guilty.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Trumpeter *Charles Moore*, Company 'F,' 2d Cavalry, "*To forfeit twelve dollars (\$12.00) of his monthly pay for the period of three (3) months.*"

3d. Private *John Doherty*, Company "H," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *John Doherty*, Company 'H,' 2d Cavalry, was drunk and disorderly in the company quarters of his company, on or about the 18th day of December, 1871. All this at Fort Ellis, M. T."

Specification II.—"In this: that he, Private *John Doherty*, Company 'H,' 2d Cavalry, did attempt to assault Sergeant *John B. Warren*, Company 'H,' 2d Cavalry, in the squad room of Company 'H,' 2d Cavalry, with intent to do him, Sergeant *Warren*, bodily injury, Sergeant *Warren* being at the time in the proper execution of his duty as sergeant in charge of the squad room, on or about the 18th day of December, 1871. All this at Fort Ellis, M. T."

Specification III.—"In this: that he, Private *John Doherty*, Company 'H,' 2d Cavalry, did refuse to obey the order given him by Sergeant *Farrel*, Company 'H,' 2d Cavalry, 'to go to the guard-house with him,' the sergeant being in the execution of his duty, having been ordered by proper authority to take Private *John Doherty*, Company 'H,' 2d Cavalry, to the guard-house, on or about December 19th, 1871. All this at Fort Ellis, M. T."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds

the accused, Private *John Doherty*, Company "H," 2d Cavalry, as follows :

Of the 1st *Specification*, "Guilty."
 Of the 2d *Specification*, "Not Guilty."
 Of the 3d *Specification*, "Guilty."
 Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Doherty*, Company "H," 2d Cavalry, "*To forfeit to the United States \$10.00 per month of his monthly pay for the period of two (2) months.*"

4th. Private *Horace P. Gordon*, Company "L," 2d Cavalry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *Horace P. Gordon*, Company 'L,' 2d Cavalry, having been duly mounted as a member of the post guard at Fort Ellis, M. T., and having been duly posted as a sentinel over one or more prisoners, did allow one or more of them to become intoxicated, and did bring them back to the guard-house in that condition. This on or about the 18th day of December, 1871, at Fort Ellis, M. T."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."
 To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Horace P. Gordon*, Company "L," 2d Cavalry, as follows:

Of the *Specification*, "Not Guilty."
 Of the CHARGE, "Not Guilty."

And the Court does therefore "acquit him," Private *Horace P. Gordon*, Company "L," 2d Cavalry.

5. Private *Charles Moore*, Company "F," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Charles Moore*, Company 'F,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same on or about the 5th day of August, 1871, and did remain absent until apprehended at or near Virginia City, M. T., on or about the 22d day of September, 1871. Thirty dollars (\$30.00) paid for his apprehension. This at or near Fort Ellis, M. T."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Charles Moore*, Company "F," 2d Cavalry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty"

And the Court does therefore sentence him, Private *Charles Moore*, Company "F," 2d Cavalry, "*To forfeit to the United States all pay and allowances now due, or that may become due up to the promulgation of the sentence, excepting the just dues of the laundress; and to be confined at hard labor, under charge of the guard, wearing a twelve (12) pound ball attached to his left leg by a chain four (4) feet long, for the period of eighteen months, forfeiting ten dollars (\$10.00) per month of his monthly pay for the same period, and at the expiration of that time to be dishonorably discharged the service of the United States.*"

6th. Private *John Williams*, Company "F," 2d Cavalry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *John Williams*, Company

'F,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did present at the store of the Post Trader, an order for one bottle of whiskey, to which order the name of his company commander, Captain Geo. H. Tyler, 2d Cavalry, had been forged, and knowing the same to be a forgery, did receive thereon one bottle of whiskey. This at Fort Ellis, M. T., on or about the 17th day of December, 1871."

Specification II.—"In this: that he, Private *John Williams*, Company 'F,' 2d Cavalry, did, while under the influence of intoxicating liquor, act in a riotous and disorderly manner in the quarters of 'F' Company, 2d Cavalry. This at Fort Ellis, M. T., on or about the 17th day of December, 1871."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *John Williams*, Company "F," 2d Cavalry, as follows:

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Williams*, Company "F," 2d Cavalry, "*To forfeit to the United States all pay and allowances due or to become due, excepting the just dues of the laundress; to be dishonorably discharged the service of the United States; and to be confined in such State prison as the Commanding General may direct, for the period of two (2) years.*"

7th. Private *Joseph W. Deyo*, Company "A," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Joseph W. Deyo*, Company 'A,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 27th day of January, 1871, and did so remain absent until apprehended at or near Stinking Water Valley, M. T., on or about the 24th day of September, 1871. Thirty dollars (\$30.00) paid for apprehension. This at Fort Ellis, M. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Joseph W. Deyo*, Company "A," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph W. Deyo*, Company "A," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, up to the promulgation of the sentence, excepting the just dues of the laundress; and to be confined at hard labor, under charge of the guard, wearing a twelve (12) pound ball attached to his left leg by a chain four (4) feet long, for the period of eighteen (18) months, forfeiting ten (10) dollars per month of his monthly pay for the same period, and at the expiration of that time to be dishonorably discharged the service of the United States.*"

II...In the case of Hospital Steward *James A. Ames*, U. S. Army, the proceedings are approved. The findings are approved, except so much of the finding to the 2d specification as convicts the accused of unlawfully disposing of certain instruments, the property of the United States. The sentence is approved and will be duly executed.

In the cases of Trumpeter *Charles Moore*, Company "F," 2d Cavalry,

and Private *John Doherty*, Company "H," 2d Cavalry, the proceedings, findings, and sentences are approved, and the sentences will be duly executed. They will be released from confinement and restored to duty.

In the case of Private *Horace P. Gordon*, Company "L," 2d Cavalry, the proceedings, findings and acquittal are approved. Orders have already been issued for his release from confinement and restoration to duty.

In the case of Private *Charles Moore*, Company "F," 2d Cavalry, the proceedings, findings, and sentence are approved, but upon the recommendation subscribed by all of the members of the Court, the sentence is mitigated to forfeiture of all pay and allowances now due. As thus mitigated it will be duly executed. Private *Moore* will be released from confinement and restored to duty.

In the case of Private *John Williams*, Company "F," 2d Cavalry, the proceedings, findings, and sentence are approved, and the sentence will be duly executed. The Minnesota State Penitentiary at Stillwater, Minnesota, is designated as the place of confinement.

In the case of Private *Joseph W. Deyo*, Company "A," 7th Infantry, the proceedings, findings, and sentence are approved, but upon the recommendation subscribed by all the members of the Court except one, and in consideration of his long service and previous good character, the sentence is mitigated to forfeiture of all pay and allowances now due. As thus mitigated the sentence will be duly executed. Private *Deyo* will be released from confinement and restored to duty.

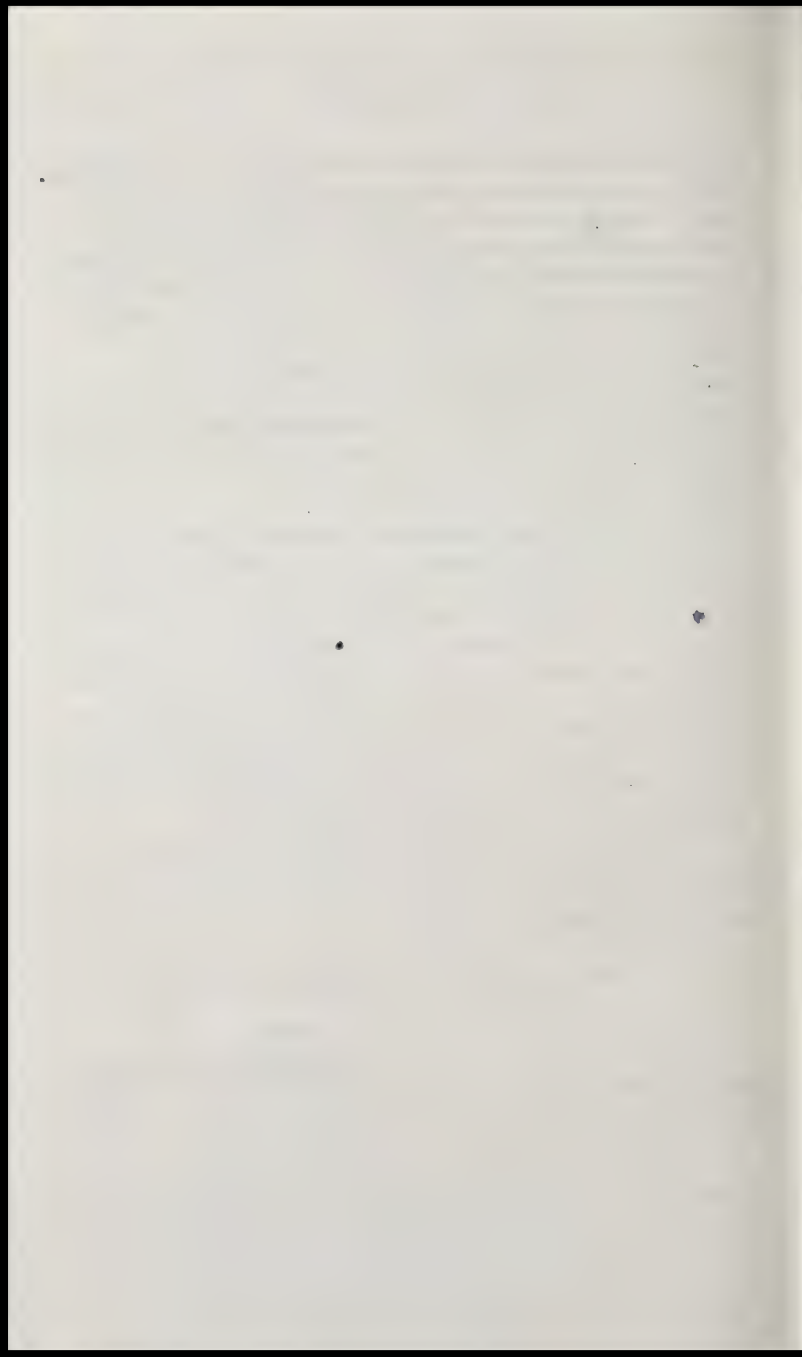
III...The General Court Martial which convened at Fort Ellis, M. T., by virtue of Special Orders Nos. 141 and 207, series of 1871, from these Headquarters, and of which Captain ED. BALL, 2d Cavalry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Sergeant *Benjamin Fillbrooke*, Company "A," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 25, 1872.

GENERAL ORDERS } No. 19.

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 281, series of 1871, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, was arraigned and tried, (February 23d, 1872):

Sergeant *Benjamin Fillbrooke*, Company "A," 17th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this: that Sergeant *Benjamin Fillbrooke*, Company 'A,' 17th Infantry, U. S. A., did, at about 7 o'clock P. M., on or about the 8th day of October, 1871, take from the prison room where he was confined, Private Edward Gaffney, Company 'A,' 17th Infantry, U. S. A., a prisoner under his charge, and conduct him to the rear, the same being in direct violation of the lawful commands of his superior officer, Captain Henry Clayton, 17th Infantry, U. S. A., Commanding Officer Grand River Military Station, Grand River Agency, D. T., viz: 'Don't allow the prisoners to be taken from the prison room between 'retreat' and 'reveille,'' duly promulgated to the said Sergeant *Benjamin Fillbrooke*, Company 'A,' 17th Infantry, U. S. A., through the Officer of the Day, 1st Lieutenant James Humbert, 17th Infantry, U. S. A. All this at military station, Grand River Agency, D. T., on or about the 8th day of October, 1871."

CHARGE II.—“Conduct prejudicial to good order and military discipline.”

Specification.—“In this: that Sergeant *Benjamin Fillbrooke*, Company ‘A,’ 17th Infantry, U. S. A., having, without authority and in violation of the lawful commands of his superior officer, Captain Henry Clayton, 17th Infantry, U. S. A., commanding Grand River Military Station, Grand River Agency, D. T., viz.: ‘Do not allow the prisoners to be taken from the prison room between ‘retreat’ and ‘reveille,’” duly promulgated to the said Sergeant *Benjamin Fillbrooke*, Company ‘A,’ 17th Infantry, through the Officer of the Day, 1st Lieutenant James Humbert, 17th Infantry, U. S. A., taking Private Edward Gaffney, Company ‘A,’ 17th Infantry, a prisoner under his charge, from the prison room, where he was confined, did conduct him to the rear, and permit him to make his escape. All this at Grand River Agency, D. T., on or about the 8th day of October, 1871.”

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, “Guilty.”

To the CHARGE, “Guilty.”

CHARGE II.

To the *Specification*, “Guilty.”

To the CHARGE, “Guilty.”

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and find him, Sergeant *Benjamin Fillbrooke*, Company “A,” 17th Infantry, as follows:

CHARGE I.

Of the *Specification*, “Guilty.”

Of the CHARGE, “Guilty.”

CHARGE II.

Of the *Specification*, “Guilty.”

Of the CHARGE, “Guilty.”

SENTENCE.

And the Court does therefore sentence him, Sergeant *Benjamin Fillbrooke*, Company "A," 17th Infantry, "*To be reduced to the ranks, and to forfeit to the United States ten dollars (\$10.00) per month of his monthly pay for the period of two (2) months.*"

II...The proceedings, findings, and sentence in the foregoing case of Sergeant *Benjamin Fillbrooke*, Company "A," 17th Infantry, are approved, but, upon the recommendation to clemency subscribed by all the members of the Court, the forfeiture of pay is remitted. As thus mitigated the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Private *Thomas O'Brien*, Company "G," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 26, 1872.

GENERAL ORDERS } No. 20. }

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 166, series of 1871, from these Headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, was arraigned and tried—

Private *Thomas O'Brien*, Company "G," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Thomas O'Brien*, Company 'G,' 17th Infantry, having been duly enlisted in the service of the United States, did desert said service at Fort Rice, D. T., on or about the 20th day of May, 1871, and did remain absent until arrested at or near Grand River Agency, D. T., on or about the 22d day of May, 1871, (\$30.00) thirty dollars being paid for such apprehension "

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Thomas O'Brien*, Company 'G,' 17th Infantry, did, while absenting himself from his company and command at Fort Rice, D. T., feloniously take, steal and carry away with him, one (1) Springfield breech-loading rifled musket, one (1) gun-sling, and twenty (20) rounds of ammuni-

tion, these articles being the property of the United States, for which Captain L. H. Sanger, 17th Infantry, is responsible, and with intention of defrauding the government of the United States of the aforesaid articles of property. All this at Fort Rice, D. T., on or about the 20th day of May, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Thomas O'Brien*, Company "G," 17th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Thomas O'Brien*, Company "G," 17th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due ; to be dishonorably discharged from the service of the United States, and to be confined at hard labor at such place as the Commanding General may direct, for the period of three (3) years.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Thomas O'Brien*, Company "G," 17th Infantry, are approved,

and the sentence will be duly executed. Fort Rice, D. T., is designated as the place of confinement. The sentence will be deemed to have commenced on the 1st day of October, 1871.

III...The General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 166, series of 1871, from these headquarters, and of which Colonel T. L. CRITTENDEN, 17th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

Sergeant *Dennis Murphy*, Company "E," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., March 27, 1872.

GENERAL ORDERS, }
No. 21. }

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders Nos. 165, series of 1871, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, was arraigned and tried—

Sergeant *Dennis Murphy*, Company "E," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this: that he, Sergeant *Dennis Murphy*, Company 'E,' 7th Infantry, having been detailed as sergeant of the post guard at Fort Benton, M. T., was found so much under the influence of intoxicating liquor at the time he was inspected at guard mounting, as to be unable to perform his duties properly. All this at Fort Benton, M. T., on or about the 26th day of September, 1871."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Sergeant *Dennis Murphy*, Company "E," 7th Infantry, as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Dennis Murphy*, Company "E," 7th Infantry, "*To be confined within the limits of the garrison where his company may be serving, for the period of five months.*"

II... By the original sentence in this case the prisoner was "to be confined at hard labor, in charge of the guard, for the period of four months." The proceedings were returned to the Court for a reconsideration of the sentence, with substantially the following remarks:

It seems to be clearly in violation of the usages of the service that a non-commissioned officer should undergo corporeal (corporal) punishment of this character, without being previously reduced to the ranks, and it has been customary for Courts Martial to act in conformity to this principle. The sentence in this case may be based upon the opinion that the 45th Article of War, in prescribing corporeal punishment, excludes reduction to the ranks. If so, this opinion is not sustained. Attention is, in this connection, invited to the decision of the Judge Advocate General, communicated by him in a letter dated January 13th, 1870, to the Judge Advocate, Department of Louisiana, and promulgated, in General Orders, from those Headquarters, (reprinted in the Army and Navy Journal.) Speaking of the custom referred to, as affecting punishment under the 45th Article of War, he says:

"Because of the embarrassment which may be found in selecting an appropriate corporeal punishment for a non-commissioned officer, in view of the usage alluded to, I am of opinion that a sentence of reduction to the ranks may be accepted as a legal punishment under the Article in question. Some punishment of this nature, (viz.: confinement under charge of the post guard and carrying a log,) in addition to the reduction, would certainly render the sentence more strictly conformable to the requirements of this Article."

The Court upon a reconsideration, substituted the sentence as it appears in its appropriate place, and gave expression to the following opinion:

"The Court is of opinion that as its members are sworn to 'administer

“‘justice according to the provisions of an act establishing rules and articles for the government of the Armies of the United States,’ and ‘that as the 45th Article of that act declares that a non-commissioned officer, drunk on his guard, ‘shall suffer such corporeal punishment as ‘shall be inflicted by the sentence of a Court Martial,’ it has no right ‘to impose any punishment which is not corporeal. That embarrassments may, and do arise in the administration of justice under this Article, is a good reason why the law should be changed. It is, in the opinion of the Court, none why the law should be violated.”

In remarking upon this opinion, it is taken for granted that the existence in our service of the fundamental principle, which conflicts with the imposition of ignominious punishment upon a non-commissioned officer as such, is now universally conceded. In view of this principle doubts have arisen as to the proper interpretation of the article referred to, but, so far as is known, these doubts have never given rise to any decision differing from that of the high authority already quoted, and it is by the light of such precedents and authorities as we may have, that the statute should be interpreted. Moreover, “it is the duty of Courts so to construe statutes as to meet the ‘mischief and to advance the remedy, *and not to violate fundamental principles.*” (Potter’s Dwarrris on Statutes and Constitutions, page 144.) And if the literal expressions of the law would lead to absurd, unjust or inconvenient consequences, such a construction should be given as to avoid such consequences, if from the whole purview of the law, and giving effect to the words used, it may be fairly done. For, that the *consequences are to be considered* in expounding law when the intent is doubtful, is a principle not to be controverted. (U. S. vs. Fisher, et. al., 2 Cranch, 358.)

Accordingly it has been held that the power to impose corporal punishment includes the power to reduce to that condition in which alone the designated punishment can, without violating a fundamental principle, be enforced. This interpretation the Major General Commanding regards as the only correct one, and his action as reviewing officer is therefore governed by it.

The Court having quoted one provision of the oath required of each member, it seems in place here to direct attention to another, which makes “the customs of war in like cases” a standard by which, when doubts arise, justice is to be administered.

The proceedings and findings are approved. The sentence, as finally agreed upon, although in the opinion of the Commanding General not adequate to the offence, is confirmed, and will be carried into execution.

III...The General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 165, series of 1871, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 2, 1872.

GENERAL ORDERS }
No. 22. }

On the 30th instant the Military Station at Whetstone Agency, D. T. will be discontinued as a separate post, and the garrison, public stores and property withdrawn to Fort Randall, D. T., under the supervision of and by such means of transportation as may be provided for the purpose by the Commanding Officer of Fort Randall. Any detailed instructions which may be required from the Chiefs of Staff Departments concerned, relative to the removal or care of stores while in transit, will be communicated direct to the Commanding Officer Fort Randall.

All stores and property estimated for, for the use of the post during the ensuing year, and now en-route or awaiting transportation, will be sent to Fort Randall.

In case the Indian Bureau shall not have removed its stores and property from the Agency, at the date mentioned, and shall desire a guard therefor, the Commanding Officer of Fort Randall will maintain there a sufficient detachment for the purpose, (under a Commissioned officer,) until such time as he is notified its services are no longer required by the Indian branch of the public service.

The day preceding the withdrawal of the garrison, the Commanding Officer will cause the post records to be carefully arranged, packed and turned over to the Quartermaster's Department for immediate shipment to these headquarters.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

and which

the

The day preceding the wedding

which was

held out to the wedding

My husband and I were married

G. C. M.

Corporal *Robert McGeary*, Company "D," 20th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 3, 1872.

GENERAL ORDERS) No. 23.

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 43, current series, from these Headquarters, and of which Lieut. Colonel L. C. HUNT, 20th Infantry, is President, was arraigned and tried:

Corporal *Robert McGeary*, Company "D," 20th Infantry.

CHARGE I.—"Drunkenness on duty."

Specification.—"In this: that he, Corporal *Robert McGeary*, Company 'D,' 20th Infantry, having been regularly detailed and mounted as corporal of the post guard, at Fort Abercrombie, D. T., did become so drunk as to be utterly unable to perform any military duty in a proper manner. This at Fort Abercrombie, D. T., between the hours of 8 and 12 o'clock P. M., on the 7th day of March, 1872."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Corporal *Robert McGeary*, Company 'D,' 20th Infantry, did introduce into the post guard house, at Fort Abercrombie, D. T., one bottle containing whiskey or other spirituous liquor, he at the time being corporal of the guard. This at Fort Abercrombie, D. T., between the hours of 8 and 12 o'clock P. M., on the 7th day of March, 1872."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, find the accused, Corporal *Robert McGeary*, Company "D," 20th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except the words 'introduce into,' and substituting 'have in his possession in.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *Robert McGeary*, Company "D," 20th Infantry, "*To be reduced to the ranks as a private soldier, and to forfeit to the United States ten (10) dollars per month of his pay for two (2) months.*"

II...The proceedings, findings and sentence in the foregoing case of Corporal *McGeary*, Company "D," 20th Infantry, are approved. The sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *John A. Potter*, Company "I," 7th Infantry.
 2. Private *Jacob Bougni*, Company "F," 7th Infantry.
 3. Private *Andrew Soffer*, Company "F," 7th Infantry.
 4. Private *James Anderson*, Company "I," 7th Infantry.
 5. Private *James W. Mason*, Company "F," 7th Infantry.
 6. Private *Henry A. McKnight*, Company "F," 7th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., April 13, 1872.

GENERAL ORDERS } No. 24. }

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 2, current series, from these Headquarters, and of which Lieut. Col. C. C. GILBERT, 7th Infantry, is President, were arraigned and tried—

1st. Private *John A. Potter*, Company "I," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *John A. Potter*, of Company 'I,' 7th Infantry, a duly enlisted soldier in the Army of the United States, did, while in confinement and not undergoing sentence, desert the service of the United States, on the 10th day of October, 1871, and did remain absent, without proper authority, until he was apprehended and brought back, on the 11th day of October, 1871. This at Fort Buford, Dakota Territory."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John A. Potter*, of Company "I," 7th Infantry, "*To be confined at hard labor in such military prison as the Commanding General may direct, for the period of one year, in addition to the punishment awarded in General Orders No. 91, series of 1871, from Headquarters Department of Dakota.*"

2d. Private *Jacob Bongni*, Company "F," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that Private *Jacob Bongni*, of Company 'F,' 7th Infantry, a duly enlisted soldier in the Army of the United States, did while in confinement, not undergoing sentence, desert the service of the United States, on the 10th day of October, 1871, and did remain absent until he was apprehended and brought back, on the 11th day of October, 1871. This at or near Fort Buford, Dakota Territory."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Jacob Bongni*,

of Company "F," 7th Infantry, "*To be confined at hard labor in such military prison as the Commanding General may direct, for the period of one year, in addition to the punishment awarded in General Orders No. 91, series of 1871, from Headquarters Department of Dakota.*"

3d. Private *Andrew Soffer*, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Andrew Soffer*, Company 'F,' 7th Infantry, being a duly enlisted soldier in the service of the United States, did, whilst in confinement, and not undergoing sentence, absent himself from said service with the intention of deserting the same, and did remain absent until apprehended at or near Fort Buford, D. T. This at Fort Buford, D. T., on or about the 10th day of October, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Andrew Soffer*, of Company "F," 7th Infantry, "*To be confined at hard labor in such military prison as the Commanding General may direct, for the period of two years, and to forfeit all pay and allowances for the same period, and then to be dishonorably discharged from the service.*"

4th. Private *James Anderson*, Company "I," 7th Infantry.

CHARGE I.—"Violation of the 41st Article of War."

Specification.—"In this: that he, Private *James Anderson*, of Company 'I,' 7th U. S. Infantry, did go between one and one-half and two miles from his post (Fort Buford, D. T.) without leave in writing from his Commanding Officer, and without any permission whatever. This at Fort Buford, D. T., on the 25th day of October, 1871."

CHARGE. II—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *James Anderson*, of Company 'I,' 7th U. S. Infantry, when apprehended by two members of the post guard, (namely, Corporal Short, of Company "I," 7th U. S. Infantry, and Private Wurtsbaugh, of Company "D," 7th U. S. Infantry), at about one and one-half miles from the post of Fort Buford, D. T., did use abusive and threatening language towards one or both of them, saying: 'You black son-of-a-bitch, if I had a knife I could cut your heart out, or if I had a gun I would blow your brains out, and if I ever get free again I will kill you,' or words to that effect; the said Corporal Short and Private Wurtsbaugh being at the time in the proper discharge of their duty as members of the post guard. This at or near Fort Buford, D. T., on the 25th day of October, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the **CHARGE**, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the **CHARGE**, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Anderson*, of Company "I," 7th Infantry, "*To be confined at hard labor, in charge of the guard, for six months, and to forfeit ten dollars a month of his monthly pay for the same period.*"

5. Private *James W. Mason*, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *James W. Mason*, of Company 'F,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, and did remain absent until he was apprehended at Fort Buford, D. T., on or about the night of the 3d of November, 1871. All this at Fort Buford, D. T., on or about the 25th day of October, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *James W. Mason*, of Company 'F,' 7th Infantry, did feloniously take, steal, carry away and appropriate to his own use, one (1) Springfield breech-loading rifled musket, model of 1868, the property of the United States, and for which 1st Lieut. Constant Williams, 7th Infantry, is responsible. All this at Fort Buford, D. T., on or about the 25th day of October, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James W. Mason*, of Company 'F,' 7th Infantry, "*To be confined at hard labor in charge of the guard, for the remainder of his enlistment, and then to be dishonorably discharged, and to forfeit all pay and allowances for the same period.*"

6. Private *Henry A. McKnight*, Company "F," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Henry A. McKnight*, of Company 'F,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service, and did remain absent until arrested at or near Fort Buford, D. T., on the 28th day of October, 1871. This at or near Fort Buford, D. T., on or about the 25th day of October, 1871."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Henry A. McKnight*, of Company 'F,' 7th Infantry, did feloniously take, steal, carry away and appropriate to his own use, one (1) Springfield breech-load-

ing rifled musket, model of 1868, the property of the United States, and for which 1st Lieut. Constant Williams, 7th Infantry, is responsible. All this at Fort Buford, D. T., on or about the 25th day of October, 1871.

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused as follows :

CHARGE I.

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry A. McKnight*, of Company 'F,' 7th Infantry, "*To forfeit all pay and allowances now due or that may become due, to have his head shaved, and to be dishonorably discharged and drummed out of the service, and then to be confined in such penitentiary as the Commanding General may direct, for the period of three years.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *John A. Potter*, Company "I," *Jacob Bongni*, Company "F," and *Andrew Soffer*, Company "F," 7th Infantry, are approved, and the

sentences will be duly executed. Fort Buford, D. T., is designated as the place of confinement.

The proceedings, findings and sentence in the case of Private *James Anderson*, Company "I," 7th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings and sentence in the case of Private *James W. Mason*, Company "F," 7th Infantry, are approved. In order that the sentence in this case may more nearly conform to others imposed by the same Court in similar cases, the term of confinement is reduced to two years, at the expiration of which the prisoner will receive his dishonorable discharge. As thus mitigated the sentence will be duly executed.

The proceedings, findings and sentence in the case of Private *Henry A. McKnight*, Company "F," 7th Infantry, are approved. So much of the sentence as prescribes shaving the head, is remitted. As thus modified the sentence will be duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

1. Private *James A. Woodruff*, Company "E," 7th Infantry.
 2. Private *Patrick Hanley*, Company "E," 7th Infantry.
 3. Private *Peter Guiozes*, Company "E," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA, *Saint Paul, Minn., April 17, 1872.*

GENERAL ORDERS }
No. 25. }

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 39, current series, from these Headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried—

1. Private *James A. Woodruff*, Company "E," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private James A. Woodruff, Company 'E,' 7th Infantry, entered the 1st sergeant's room, and did, without just cause or provocation, strike Corporal Samuel Wallace, Company 'E,' 7th Infantry, in the face with his fist, private *Woodruff* being at the time a prisoner under charge of a sentinel. All this at Fort Benton, Montana, on or about the 17th of January, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James A. Woodruff*, Company "E," 7th Infantry, "*To be confined, in charge of the guard, at hard labor, for one month, and to forfeit to the United States ten dollars per month of his monthly pay for the period of six months.*"

2d. Private *Patrick Hanley*, Company "E," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this : that he, Private *Patrick Hanley*, Company 'E,' 7th Infantry, having been duly mounted as a member of the post guard, did become so much under the influence of intoxicating liquor, as to be unable to properly perform his duties. All this at Fort Benton, Montana, on or about the 10th day of November, 1871."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Patrick Hanley*, Company "E," 7th Infantry, "*To be confined at hard labor, in charge of the guard, for the period of six months.*"

3d. Private *Peter Guiozes*, Company "E," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this : that he, Private *Peter Guiozes*, Company 'E,' 7th Infantry, while on duty as acting corporal of the post guard, did become so much under the influence of intoxicating liquor, as to be unable to properly perform his duties. All this at Fort Benton, Montana, on or about the 11th day of November, 1871."

To which charge and specification the accused pleaded as follows :

To the Specification, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the Specification, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him.*"

II...The proceedings, findings, and sentences in the cases of Privates *James A. Woodruff* and *Patrick Hanley*, Company "E," 7th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings, and acquittal in the case of Private *Peter Guiozes*, Company "E," 7th Infantry, are approved. He will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

The first part of the paper discusses the importance of the study and the objectives of the research. It then proceeds to a literature review, followed by a description of the methodology used in the study. The results of the study are presented in the next section, followed by a discussion of the findings and their implications. The paper concludes with a summary of the main points and a list of references.

The study was conducted in a laboratory setting, using a series of experiments to measure the effects of the treatment on the response of the subjects. The results of the study are presented in the next section, followed by a discussion of the findings and their implications. The paper concludes with a summary of the main points and a list of references.

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HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., April 18, 1872.

GENERAL ORDERS)
No. 26.)

I...Lieutenant Colonel *C. H. Tompkins*, Deputy Quartermaster General, U. S. A., having reported at these headquarters, in compliance with Paragraph IV, Special Orders No. 74, current series, War Department, Adjutant General's Office, as Chief Quartermaster of this Military Department, he will immediately relieve Lieutenant Colonel *S. B. Holabird*, Deputy Quartermaster General, U. S. A., in his duties as Chief Quartermaster of the Department, Depot, Purchasing and Post Quartermaster; the latter will transfer all funds, property, books, papers, records, plans, &c., which pertain to the duties of the several offices mentioned, for which the usual receipts will be given.

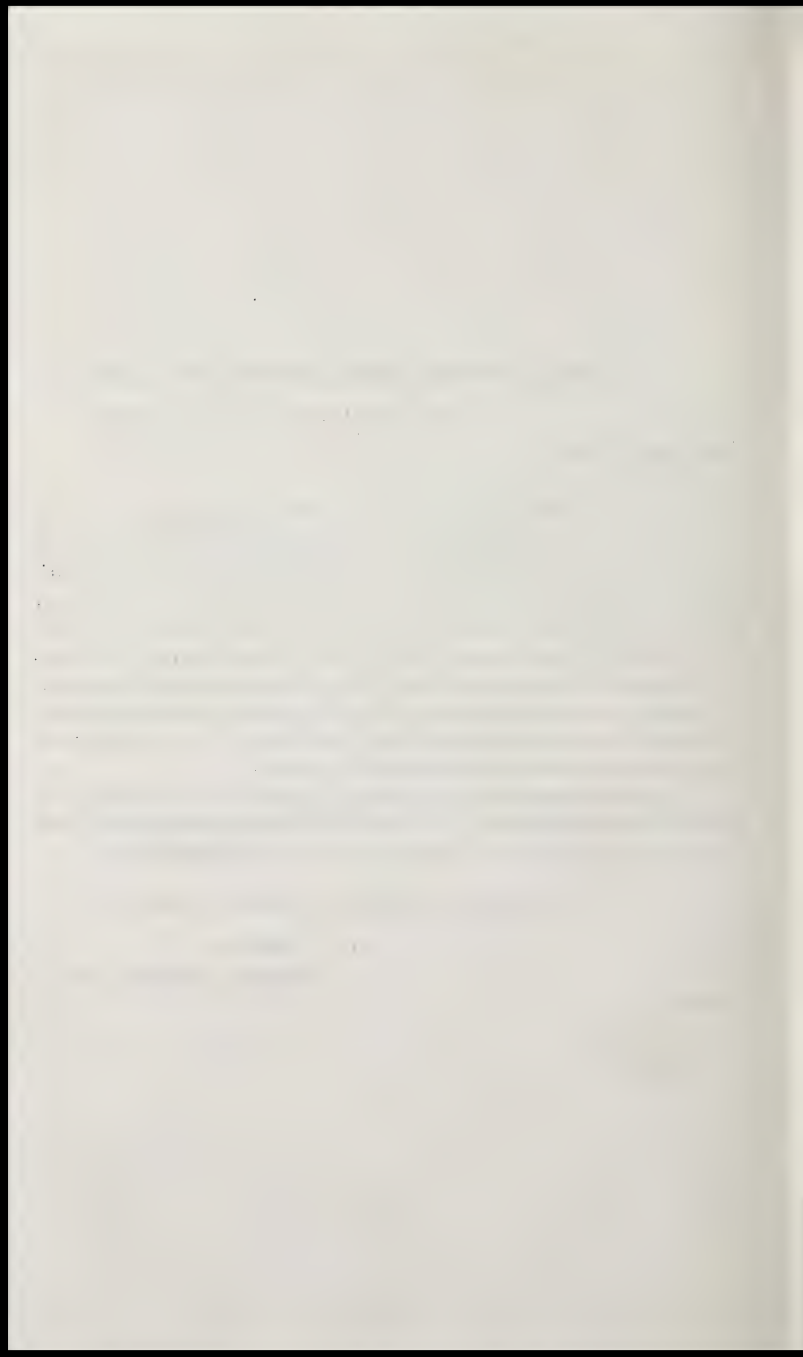
II...After the transfer above directed has been duly made and completed, Lieutenant Colonel *S. B. Holabird*, Deputy Quartermaster General, U. S. A., will report for further orders at these headquarters.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., May 1, 1872.

GENERAL ORDERS }
No. 27. }

Accompanying this order is a copy of an outline map of the Territory of Dakota, compiled for the use of officers of this command.

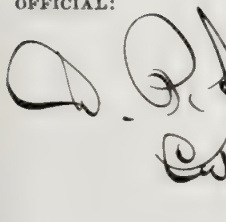
One object of this map is to collect reliable data for the compilation of a comprehensive map of this Department; it is therefore requested that if any officer discovers errors or omissions in the map, he will mark them carefully *in pencil* on a copy, and send it to these headquarters with a letter of transmittal, giving his authority for the correction. A corrected copy will be returned to him.

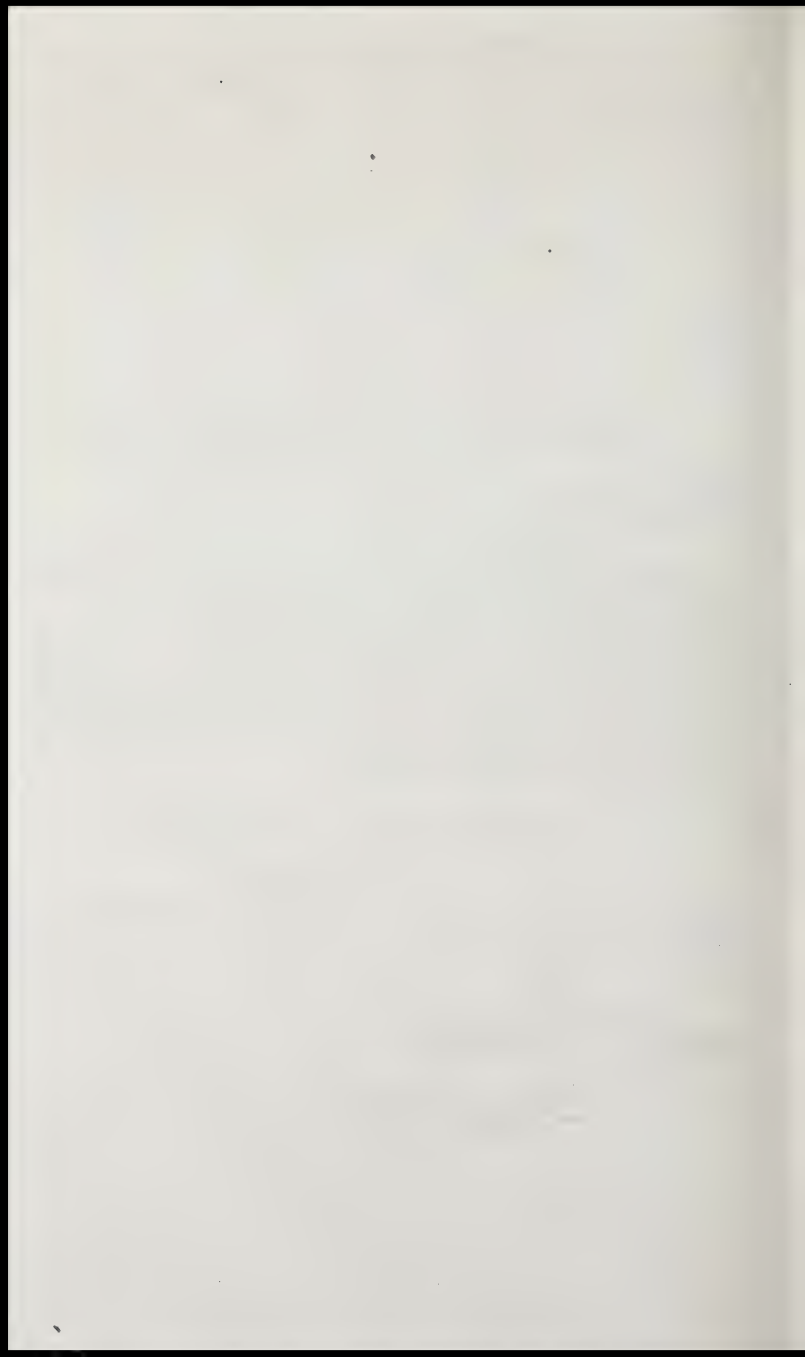
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

 O. D. Greene.
Capt & Engrs.



HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., May 14, 1872.

GENERAL ORDERS)
No. 28.)

Officers on duty in the Quartermaster's Department in this command, will hereafter render to the Chief Quartermaster of the Department, at the end of each month, commencing with the month of April last, a statement showing amount of forage on hand on the last day of the preceding month, amount issued during the current month, and the amount remaining on hand.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Corporal *Irrin Harrington*, Company "D," 7th Infantry.
 2. Private *Israel Wells*, Company "D," 7th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 16, 1872.

GENERAL ORDERS }
No. 29. }

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 2, current series, from these headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:—

1st. Corporal *Irrin Harrington*, Company "D," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, *Irrin Harrington*, a corporal of Company 'D,' 7th U. S. Infantry, being on duty as corporal of the guard, did permit the following named general prisoners, or one of them, to escape from confinement, to wit: Privates *John A. Potter* and *John Sullivan*, of Company 'I,' 7th U. S. Infantry, Privates *Andrew Soffer*, *Patrick Connolly*, *Jacob Bougni*, and *Isaac H. Fisher*, of Company 'F,' 7th U. S. Infantry, and citizen prisoners *Harry Carter* and *James Moran*. This at Fort Buford, D. T., on or about the 9th day of October, 1871."

Specification II.—"In this: that he, *Irvin Harrington*, a corporal of Company 'D,' 7th U. S. Infantry, being on duty as corporal of the guard, and having been ordered by the commander of the guard, Sergeant Phillip Leary, of Company 'D,' 7th U. S. Infantry, to count the prisoners in the prison-room at tattoo, did falsely report to said Sergeant Leary, commander of the guard, that he had counted the said prisoners, and that there were thirty (30) prisoners in said prison-room. This at Fort Buford, D. T., on or about the 9th day of October, 1871."

Specification III.—"In this: that he, *Irvin Harrington*, a corporal of Company 'D,' 7th U. S. Infantry, being on duty as corporal of the guard, and knowing that certain prisoners, to the number of about eight, had escaped from confinement before tattoo, did fail to report said escape of prisoners to the commander of the guard until about reveille next morning. This at Fort Buford, D. T., on or about the 9th day of October, 1871."

To which the accused pleaded as follows :

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Corporal *Irvin Harrington*, Company "D," 7th Infantry, as follows :

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Not Guilty."

Of the 3d *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "acquit him."

2d. Private *Israel Wells*, Company "D," 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Israel Wells*, Company 'D,' 7th Infantry, having been placed as a sentinel over a party of prisoners at work near the quarters of the Indian Scouts, did, without authority, go into the said quarters with some of the prisoners, and did leave the remainder of the party, three in number, more or less, outside without proper guard. This at Fort Buford, D. T., on or about the 16th day of December, 1871."

To which the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Israel Wells*, Company "D," 7th Infantry, "*To forfeit to the United States six dollars (\$6.00) per month for the period of four months.*"

II...The proceedings, findings and acquittal in the foregoing case of Corporal *Irrin Harrington*, Company "D," 7th Infantry, are approved. Orders have already been issued for his release from arrest and restoration to duty.

The proceedings, findings and sentence in the foregoing case of Private *Israel Wells*, Company "D," 7th Infantry, are approved, but, upon the

recommendation of a majority of the members of the Court, the sentence is remitted. He will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. C. M.

Private *William Brannon*, Company "G," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 17th, 1872.

GENERAL ORDERS }
No. 30. }

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 141, series of 1871, from these headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, was arraigned and tried:

Private *William Brannon*, Company "G," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *William Brannon*, Company 'G,' 7th Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Camp Baker, M. T., on or about the 2d day of June, 1871, and did remain absent therefrom until apprehended at or near 'Diamond City,' M. T., on or about the 4th day of June, 1871. This at the time and place above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *William Brannon*, Company 'G,' 7th Infantry, did feloniously take, steal, and carry away from the company quarters, and appropriate to his own use, one (1) Sharp's carbine, improved, calibre 50, the property of the United

States, of the value of \$50.00, more or less, and for which Captain George L. Browning, 7th Infantry, is responsible. All this at Camp Baker, M. T., on or about the 2d day of June, 1871."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused, Private *William Brannon*, Company "G," 7th Infantry, as follows :

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'desert said service at,' and substituting therefor the word 'leave.'"

Of the CHARGE, "Not Guilty, but guilty of 'absence without leave.'"

CHARGE II.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Brannon*, Company "G," 7th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for the period of one month.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *William Brannon*, Company "G," 7th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

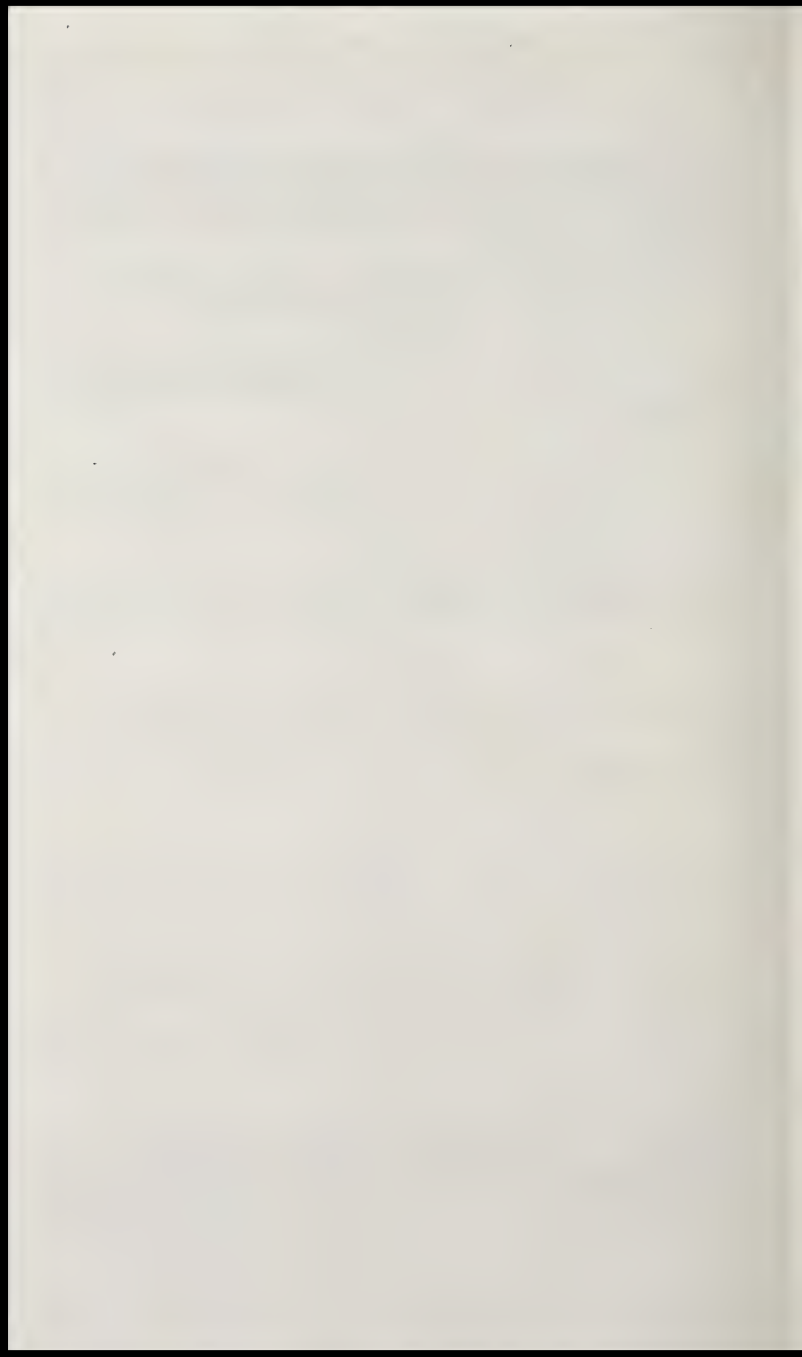
III...The General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 141, series of 1871, from these headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

G. D. GREENE.

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Sergeant *Thomas Monaghan*, Company "G," 7th Infantry.
 2. Private *James Keys*, Company "K," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 18th, 1872.

GENERAL ORDERS)
No. 31.)

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 39, current series, from these headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, were arraigned and tried:—

1st. Sergeant *Thomas Monaghan*, Company "G," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that he, Sergeant *Thomas Monaghan*, Company 'G,' 7th Infantry, did interfere with and strike Sergeant *Thomas Morgan*, Company 'G,' 7th Infantry, while he, Sergeant *Morgan*, was in the proper discharge of his duty as sergeant of the guard, endeavoring to quell a disturbance in the quarters of Company 'G,' 7th Infantry. This at Camp Baker, M. T., on or about December 25th, 1871."

To which charge and specification the accused pleaded as follows:

To the Specification, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Sergeant *Thomas Monaghan*, Company "G," 7th Infantry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Thomas Monaghan*, Company "G," 7th Infantry, "*To be reduced to the ranks as a private soldier, and to forfeit to the United States ten dollars (\$10.00) of his monthly pay for the period of one month.*"

2d. Private *James Keys*, Company "K," 7th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In this: that Private *James Keys*, Company 'K,' 7th Infantry, did go into the kitchen of Company 'K,' 7th Infantry, and did then and there maliciously assault and stab Sergeant *Mathew Dische*, Company 'K,' 7th Infantry, in the face, with a knife or other sharp instrument, inflicting a severe cut just below the right eye. All this at Fort Shaw, Montana Territory, on or about the 7th day of March, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *James Keys*, Company "K," 7th Infantry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Keys*, Company "K," 7th Infantry, "*To be dishonorably discharged the service of the United States, forfeiting all pay and allowances now due, or to become due, and to be confined for the period of five (5) years in such penitentiary as the Department Commander may designate.*"

II...The proceedings, findings, and sentence in the foregoing case of Sergeant *Thomas Monaghan*, Company "G," 7th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings, and sentence in the foregoing case of Private *James Keys*, Company "K," 7th Infantry, are approved, and the sentence will be duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



G. C. M.

1. Surgeon *Charles E. Goddard*, U. S. A.
 2. Private *Edward Brennan*, Company "C," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 23, 1872.

GENERAL ORDERS)
No. 32.)

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 244, series of 1871, from these headquarters, and of which Colonel D. S. STANLEY, 22d U. S. Infantry, is President, were arraigned and tried:—

1st. Surgeon *Charles E. Goddard*, U. S. A.

CHARGE I.—“Conduct unbecoming an officer and a gentleman.”

Specification I.—“In this: that he, Surgeon *Charles E. Goddard*, U. S. Army, being on duty as Post Surgeon, at Fort Rice, D. T., did, on or about June 28th, 1871, make and forward to the headquarters of the post, a certain written report in relation to Captain John H. Donovan, 17th U. S. Infantry, in words and figures following, to wit:

‘FORT RICE, D. T..

‘*June 28th, 1871.*

‘SIR.

‘I have the honor to report that Captain John H. Donovan, stationed at this post, suffers so much mental excitement, the result of a gun-shot wound of the head, as to require either the action of a retiring board, or that he be put under medico-legal restraint. I would

'further add that this mental excitement is at times so great as to result in complete mental alienation.

'Very respectfully,

'Your obedient servant,

'(Signed,)

C. E. GODDARD,

'Surgeon, U. S. A.,

'Post Surgeon.'

Which said report was false, malicious and libellous, and calculated to, and did, injure him, the said Captain John H. Donovan, 17th Infantry, by causing the publication of the following Special Orders in his case, viz.:

'HEADQUARTERS, DEPARTMENT OF DAKOTA,

'*Saint Paul, Minn., July 29, 1871.*

'SPECIAL ORDERS }
No. 170.

'(Extract.)

* * * * *

'II....In accordance with instructions from Headquarters Military Division of the Missouri, the Commanding Officer of Fort Rice, D. T., will detail from his command a commissioned officer and such guard as may be required, to proceed to Washington, D. C., in charge of Captain J. H. Donovan, 17th Infantry, where he will be reported to the Adjutant General of the Army for an order of admission to the Government Asylum for the Insane, or such other disposition as may be made of him by competent authority. The Quartermaster's Department will furnish the necessary transportation for Captain Donovan and the guard.

* * * * *

'BY COMMAND OF MAJOR GENERAL HANCOCK.

'O. D. GREENE,

'*Assistant Adjutant General.*

'OFFICIAL:

'(Signed,)

JOHN B. RODMAN,

'2d Lieutenant, 26th Infantry,

'*Aide-de Camp.*'

And in accordance with which said order the said Captain John H. Donovan, 17th Infantry, was taken as an insane officer, and under a guard of a commissioned officer, from Fort Rice, D. T., to Washington, D. C., and reported for admission to the Government Asylum for the insane."

Specification II.—"In this: that he, Surgeon *Charles E. Goddard*, U. S. Army, being on duty as Post Surgeon at Fort Rice, D. T.,

did, on or about June 28th, 1871, in conjunction with Captain L. H. Sanger, 17th Infantry, Post Commander, maliciously, unlawfully, and feloniously conspire and attempt to get Captain John H. Donovan, 17th U. S. Infantry, out of the way, and to restrain him of his liberty by securing his confinement in a lunatic asylum, or to have him placed upon the retired list for mental alienation, on account of his being an important witness in the matter of the seduction, by Captain L. H. Sanger, 17th Infantry, of Annie Wagner, daughter of John Wagner, the band master of the 17th Infantry, and the abortion performed upon her, which seduction and abortion the said Captain L. H. Sanger had reason to apprehend might be made the subject of charges against him, by making and forwarding to Post Headquarters, a false, malicious and libellous report in writing, in words and figures following, to wit:

'FORT RICE, D. T.,

'June 28th, 1871.

'SIR.

'I have the honor to report that Captain John H. Donovan, stationed at this post, suffers so much mental excitement, the result of a 'gun-shot wound of the head, as to require either the action of a retiring board, or that he be put under medico-legal restraint. I would 'further add that this mental excitement is so great at times as to result 'in complete mental alienation.

'Very respectfully.

'Your obedient servant,

'(Signed,)

C. E. GODDARD.

'Surgeon, U. S. A.,

'Post Surgeon.

'To 1st Lieutenant H. POTTER, JUN'R,

'Adjutant 17th U. S. Infantry,

'Post Adjutant.'

Which said report was, on or about June 28th, 1871, forwarded by said Captain L. H. Sanger, 17th Infantry, Post Commander, to the Adjutant General of the Army, recommending immediate action, and which said report was calculated to, and did, injure him, the said Captain J. H. Donovan, 17th Infantry, by causing the publication of the following Special Orders in his case, viz.:

'HEADQUARTERS, DEPARTMENT OF DAKOTA,
'*Saint Paul, Minn., July 29, 1871.*

'SPECIAL ORDERS }
No. 170.

'(Extract.)

* * * * *

'II...In accordance with instructions from Headquarters Military
'Division of the Missouri, the Commanding Officer at Fort Rice, D. T.,
'will detail from his command a commissioned officer, and such guard
'as may be required, to proceed to Washington, D. C., in charge of Cap-
'tain J. H. Donovan, 17th Infantry, where he will be reported to the
'Adjutant General of the Army, for an order of admission to the Gov-
'ernment Asylum for the Insane, or such other disposition as may be
'made of him by competent authority. The Quartermaster's Depart-
'ment will furnish the necessary transportation for Captain Donovan
'and guard.

* * * * *

'BY COMMAND OF MAJOR GENERAL HANCOCK.

'O. D. GREENE,
Assistant Adjutant General.

'OFFICIAL:

'(Signed.) JOHN B. RODMAN,
'*2d Lieutenant, 20th Infantry,*
'*Aide-de-Camp.*

And in accordance with which said order, the said Captain J. H. Donovan, 17th Infantry, was taken, as an insane officer, and under a guard of one commissioned officer, from Fort Rice, D. T., to Washington, D. C., and reported for admission to the Government Asylum for the Insane."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Surgeon *Charles E. Goddard*, U. S. Army, being on duty as Post Surgeon, at Fort Rice, D. T., did, on or about June 28th, 1871, make and forward to the headquarters of the post, a certain written report in relation to Captain John H. Donovan, 17th U. S. Infantry, in words and figures following, to wit:

'FORT RICE, D. T.,
'*June 28, 1871.*

'SIR.

'I have the honor to report that Captain John H. Donovan, stationed at this post, suffers so much mental excitement, the result of a

'gun-shot wound of the head, as to require either the action of a retiring board, or that he be put under medico-legal restraint. I would further add, that this mental excitement is so great at times as to result in complete mental alienation.

'Very respectfully,

'Your obedient servant,

'(Signed,)

C. E. GODDARD,

'Surgeon, U. S. A.,

'Post Surgeon.'

Which said report was false, malicious and libellous, and calculated to, and did, injure him, the said Captain John H. Donovan, 17th Infantry, by causing the publication of the following Special Orders in his case, viz.:

'HEADQUARTERS, DEPARTMENT OF DAKOTA,

'Saint Paul, Minn., July 29, 1871.

'SPECIAL ORDERS }
No. 170. }

'(Extract.)

* * * * *

'II...In accordance with instructions from Headquarters Military Division of the Missouri, the Commanding Officer of Fort Rice, D. T., will detail from his command a commissioned officer and such guard as may be required, to proceed to Washington, D. C., in charge of Captain J. H. Donovan, 17th Infantry, where he will be reported to the Adjutant General of the Army for an order of admission to the Government Asylum for the Insane, or such other disposition as may be made of him by competent authority. The Quartermaster's Department will furnish the necessary transportation for Captain Donovan and the guard.

* * * * *

'BY COMMAND OF MAJOR GENERAL HANCOCK.

'O. D. GREENE,

'Assistant Adjutant General.

'OFFICIAL:

'(Signed,)

JOHN B. RODMAN.

'2d Lieutenant, 20th Infantry,

'Aide de Camp.'

And in accordance with which said order the said Captain J. H. Donovan, 17th Infantry, was taken, as an insane officer, and under a guard of a commissioned officer, from Fort Rice, D. T., to Washington, D. C., and reported for admission to the Government Asylum for the Insane."

Specification II.—"In this: that he, Surgeon *Charles E. Goddard*, U. S. A., did, on or about the night of June 26th, 1871, between the hours of eleven and twelve o'clock P. M., in a state of intoxication, come to the private quarters of Captain John H. Donovan, 17th Infantry, (whom he found in bed,) and did, without any just cause or provocation, leave the private quarters of Captain Donovan, and order and obtain an armed guard of one corporal and three men, which guard he, Surgeon Goddard, caused to be placed over him, Captain John H. Donovan, at his private quarters, and which guard remained over him at his private quarters, until released by order of the Post Commander, on or about the hours of two and three o'clock P. M., of the 27th June, 1871. This at Fort Rice, D. T., on or about June 26th and 27th, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Guilty, except the words, 'which said report was false, malicious and libellous, and calculated to, and did, injure him, the said Captain John H. Donovan, 17th Infantry, by causing the publication of the following orders in his case.'"

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the 1st *Specification*, "Guilty, except the words, 'which said report was false, malicious and libellous, and calculated to, and did, injure him, the said Captain John H. Donovan, 17th Infantry, by causing the publication of the following orders in his case.'"

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Surgeon *C. E. Goddard*, U. S. A., as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty, except the words, 'false, malicious, libellous, and.' Of the excepted words, Not Guilty."

Of the 2d *Specification*, "Guilty, except the word 'did.' and the words, 'in conjunction with Captain L. H. Sanger, 17th Infantry, Post Commander, maliciously, unlawfully, and feloniously conspire and attempt to get Captain John H. Donovan, 17th U. S. Infantry, out of the way, and to restrain him of his liberty by securing his confinement in a lunatic asylum, or to have him placed upon the retired list for mental alienation, on account of his being an important witness in the matter of the seduction, by Captain L. H. Sanger, 17th Infantry, of Anne Wagner, daughter of John Wagner, the band master of the 17th Infantry, and the abortion performed upon her, which seduction and abortion the said Captain L. H. Sanger had reason to apprehend might be made the subject of charges against him,' and the words, 'false, malicious and libellous.' Of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty of conduct unbecoming an officer and a gentleman, but guilty of writing an official communication which was calculated to, and did, injure an officer and the service, to the prejudice of good order and military discipline."

CHARGE II.

Of the 1st *Specification*, "Guilty, except the words, 'false, malicious, libellous, and.' Of the excepted words, Not Guilty."

Of the 2d *Specification*, "Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Surgeon *Charles E. Goddard*, U. S. A., "To be confined to the military Reservation of the military post at which he may be serving, for one (1) year, and to forfeit one hundred dollars (\$100) per month of his monthly pay for the same period."

2d. Private *Edward Brennan*, Company "C," 17th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this: that he, Private *Edward Brennan*, Company 'C,' 17th Infantry, having been mounted as a member of the guard, and posted as a sentinel on post No. 1, U. S. military station, Cheyenne Agency, D. T., did, before he was regularly re-

lieved, leave his post, without authority. This at the U. S. military station, Cheyenne Agency, D. T., between the hours of 2 and 4 o'clock, on or about the morning of March 28th, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Edward Brennan*, Company "C," 17th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Edward Brennan*, Company "C," 17th Infantry, "*To forfeit to the United States twelve dollars (\$12) of his pay per month for four (4) months, and to be confined at hard labor, in charge of the guard, for the same period.*"

II...The proceedings in the foregoing case of Surgeon *Charles E. Goddard*, U. S. A., having been returned for reconsideration, the Court decided to adhere to its original findings and sentence. The simple record of this action, unaccompanied with any statement of the reasons by which it was governed, leaves no other course open to the reviewing officer than to conform his decision and orders to the views already expressed.

Surgeon *Goddard* was charged with making a "false, malicious and libellous" report, which "was calculated to, and did, injure" an officer of the army. The charges were based upon the supposition that the report was false in fact, malicious in intent, and of a libellous character. The Court, by its findings, declares the report to have been true, (or at least not proven to be false,) not malicious, nor yet libellous, but that it *was calculated to, and did, injure an officer.*

These findings can not be reconciled to each other. Without again going into this question at length, suffice it to say, that, by excepting the words, "false, malicious and libellous," the Court has pronounced this report to have been made without intent to do injury, and from no bad motive; yet it has at the same time characterized the making of the report as intended to, and doing injury, and treated it as a criminal offence.

If the report was neither false, nor made with intent to do injury, but from good motives, Surgeon *Goddard* was simply and properly fulfilling a duty in reporting the matter to the proper authorities, and to the fulfilment of this duty no criminal responsibility could be held to attach. If it was made with intent to do injury—from bad motives—as the conviction implies, it would have sustained the first charge as well as the second.

The Court, having decided to abide by its contradictory findings, they, together with the sentence, are disapproved.

Surgeon *Goddard* is released from arrest and restored to duty.

The proceedings, findings, and sentence in the foregoing case of Private *Edward Brennan*, Company "C," 17th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. S. Luntz Ward
2nd. Lieut. 22nd. Inf.
A. D. C.



G. C. M.

1. Private *Franklin Budd*, Company "G," 22d Infantry.
 2. Private *Charles Smith*, Company "C," 22d Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., May 25, 1872.

GENERAL ORDERS)
No. 33.)

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of Special Orders No. 76, current series, from these headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, were arraigned and tried :—

1st. Private *Franklin Budd*, Company "G," 22d Infantry.

CHARGE.—"Desertion, (violation of the 20th Article of War.)"

Specification.—"In this: that he, Private *Franklin Budd*, Company 'G,' 22d Infantry, having been duly enlisted as a soldier in the service of the United States, did desert said service and remain absent therefrom, until apprehended at or near Springfield, D. T., on or about March 25th, 1872, (\$30.00 paid for apprehension). All this at or near Fort Randall, D. T., on or about the 15th day of March, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Franklin Budd*, Company "G," 2d Infantry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Franklin Budd*, Company 'G,' 22d Infantry, "*To forfeit all pay now due or to grow due, to be confined at hard labor, under charge of the guard, at the post where his company may be serving, for the period of two years, and at the expiration of that period to be dishonorably discharged the service of the United States.*"

2d. Private *Charles Smith*, Company "C," 22d Infantry.

CHARGE.—"Violation of the 38th Article of War."

Specification.—"In this: that he, Private *Charles Smith*, a duly enlisted soldier in the service of the United States, and a private of Company 'C,' 22d Infantry, did wrongfully sell or dispose of, to a Yankton Sioux Indian, one Springfield breech-loading musket, with which, as a member of said 'C' company, he had been armed, and which was the property of the United States, and of the value of fifty dollars (\$50.00) more or less. All this at or near the Yankton Sioux Indian Agency, D. T., on or about the 10th day of February, 1872 "

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused Private *Charles Smith*, Company "C," 22d Infantry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, the said Private *Charles Smith*, Company "C," 22d Infantry, "*To make good the loss of ordnance, viz. : \$50.00, to the United States Government, by forfeiting six and one-fourth dollars (\$6.25) per month of his monthly pay for eight months, and to suffer confinement in the post guard-house at the post where his company may be serving, for the same period.*"

II...The proceedings, findings, and sentences in the foregoing cases of Private *Franklin Budd*, Company "G," and Private *Charles Smith*, Company "C," 22d Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

G. S. Lustrall Ward
2nd Lieut. 22nd Inf.
A. S. G.



G. C. M.

1. Private *Alvin W. Chormann*, Company "D," 20th Infantry.
 2. Private *William Myer*, Company "C," 20th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

St. Paul, Minn., May 27, 1872.

GENERAL ORDERS }
No. 34. }

I...Before a General Court Martial which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 85, current series, from these headquarters, and of which Captain J. C. BATES, 20th Infantry, is President, were arraigned and tried:

1st. Private *Alvin W. Chormann*, Company "D," 20th Infantry.

CHARGE I.—"Embezzling, and knowingly and willfully misappropriating and applying to his own use, money, the property of the United States, to be used for the military service of the United States, in violation of an act of Congress, entitled, 'An act to prevent and punish frauds upon the Government of the United States,' approved March 2d, 1863."

Specification I.—"In this: that Private *Alvin W. Chormann*, Company 'D,' 20th Infantry, being on extra duty, and acting in the capacity of storekeeper in the Subsistence Department, U. S. Army, at Fort Abercrombie, D. T., under the orders of Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, and being, by said Captain G. B. Dandy, entrusted with the sale and issue of subsistence stores, the property of the United States, and with the temporary custody (until he should turn over the same) of the money derived from the sale thereof, did,

upon the order of Captain William Stanley, 20th Infantry, commanding Company 'D,' 20th Infantry, sell, for the use of said company, subsistence stores, amounting in the aggregate in money value to the sum of thirty-four dollars and twenty-five cents (\$34.25), more or less, which said sum, the property of the United States, he received in payment of said stores, and did fail to turn over the whole of said amount to the Acting Commissary of Subsistence, as required to do, but did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use, twenty-three dollars and thirty cents (\$23.30) thereof, be the same more or less. This at Fort Abercrombie, D. T., on or about the 18th and 24th days of December, 1871."

Specification II.—"In this: that he, Private Alvin W. Chormann, Company 'D,' 20th Infantry, being on extra duty, and acting in the capacity of storekeeper in the Subsistence Department, U. S. Army, at Fort Abercrombie, D. T., under the orders of Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, and being, by said Captain G. B. Dandy, entrusted with the sale and issue of subsistence stores, the property of the United States, and with the temporary custody (until he should turn over the same) of the money derived from the sale thereof, did, upon order given by proper authority, sell to Mrs. Maria Woolner, laundress of Company 'D,' 20th Infantry, the following subsistence stores, viz.: one hundred (100) pounds of corn meal, three (3) boxes of sardines, two (2) pounds of laundry starch, and one-half ($\frac{1}{2}$) pound of mustard, amounting in money value to the sum of three dollars and seven cents (\$3.07), more or less, which said sum, the property of the United States, he received in payment for said stores, and did fail to turn over the said amount to the Acting Commissary of Subsistence, as required to do, but did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use, the said amount, three dollars and seven cents (\$3.07), be the same more or less. This at Fort Abercrombie, D. T., on or about the 3d day of January, 1872."

Specification III.—"In this: that he, Private Alvin W. Chormann, Company 'D,' 20th Infantry, being on extra duty, and acting in the

capacity of storekeeper in the Subsistence Department, U. S. Army, at Fort Abercrombie, D. T., under the orders of Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, and being, by said Captain G. B. Dandy, entrusted with the sale and issue of subsistence stores, the property of the United States, and with the temporary custody (until he should turn over the same) of the money derived from the sale thereof, did, upon order given by proper authority, sell to Corporal Jacob Vigdor, Company 'D,' 20th Infantry, the following subsistence stores, viz.: three (3) pounds of candles, one (1) pound of green tea, and seven (7) pounds of soap, amounting in money value to the sum of two dollars and thirty-three cents (\$2.33), more or less, which said sum, the property of the United States, he received in payment for said stores, and did fail to turn over the said amount to the Acting Commissary of Subsistence, as required to do, but did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use, the said amount, two dollars and thirty-three cents (\$2.33), be the same more or less. This at Fort Abercrombie, D. T., on or about the 6th day of January, 1872."

Specification IV.—"In this: that he, Private *Alvin W. Chormann*, Company 'D,' 20th Infantry, being on extra duty, and acting in the capacity of storekeeper in the Subsistence Department, U. S. Army, at Fort Abercrombie, D. T., under the orders of Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, and being, by the said Captain G. B. Dandy, entrusted with the sale and issue of subsistence stores, the property of the United States, and with the temporary custody (until he should turn over the same) of the money derived from the sale thereof, did, upon order given by proper authority, sell to Joseph Barry, a civilian employed in the Quartermaster's Department, at Fort Abercrombie, D. T., one (1) keg, containing five (5) gallons of sauer kraut, in money value two dollars and twenty-five cents (\$2.25), more or less, which said sum, the property of the United States, he received in payment for said stores, and did fail to turn over the said amount to the Acting Commissary of Subsistence, as required to do, but did fraudulent-

ly embezzle, and knowingly and willfully misappropriate and apply to his own use, the said amount, two dollars and twenty-five cents (\$2.25), be the same more or less. This at Fort Abercrombie, D. T., on or about the 7th day of January, 1872."

Specification V.—"In this: that he, Private *Alvin W. Chormann*, Company 'D,' 20th Infantry, being on extra duty, and acting in the capacity of storekeeper in the Subsistence Department, U. S. Army, at Fort Abercrombie, D. T., under the orders of Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, and being, by said Captain G. B. Dandy, entrusted with the sale and issue of subsistence stores, the property of the United States, and with the temporary custody (until he should turn over the same) of the money derived from the sale thereof, did, upon order given by proper authority, sell to Private George Bailey, Company 'D,' 20th Infantry, one-half ($\frac{1}{2}$) gallon of syrup, in money value forty-four (44) cents, more or less, which said sum, the property of the United States, he received in payment for said stores, and did fail to turn over the said amount to the Acting Commissary of Subsistence, as required to do, but did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use, the said amount of forty-four (44) cents, be the same more or less. This at Fort Abercrombie, D. T., on or about the 24th day of January, 1872."

Specification VI.—"In this: that he, Private *Alvin W. Chormann*, Company 'D,' 20th Infantry, being on extra duty, and acting in the capacity of storekeeper in the Subsistence Department, U. S. Army, at Fort Abercrombie, D. T., under the orders of Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, and being, by the said Captain G. B. Dandy, entrusted with the sale and issue of subsistence stores, the property of the United States, and with the temporary custody (until he should turn over the same) of the money derived from the sale thereof, did, upon order given by proper authority, sell to Private Edward Kuhltham, Company 'D,' 20th Infantry, the following subsistence stores, viz.: Two (2) cans of milk and one (1) can of currant jelly, amounting in money value to the sum of eighty-one (81) cents, more or less, which said sum, the property of the United

States, he received in payment for said stores, and did fail to turn over the said amount to the Acting Commissary of Subsistence, as required to do, but did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use, the said amount, eighty-one (81) cents, be the same more or less. This at Fort Abererombie, D. T., on or about the 24th day of January, 1872."

Specification VII.—"In this: that he, Private *Alvin W. Chormann*, Company 'D,' 20th Infantry, being on extra duty, and acting in the capacity of storekeeper in the Subsistence Department, U. S. Army at Fort Abererombie, D. T., under the orders of Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, and being, by said Captain G. B. Dandy, entrusted with the sale and issue of subsistence stores, the property of the United States, and with the temporary custody (until he should turn over the same) of the money derived from the sale thereof, did, upon order given by proper authority, sell to Michael McAsey, a civilian watchman in the Quartermaster's Department at Fort Abererombie, D. T., the following subsistence stores, viz.: one hundred (100) pounds of flour, twenty (20) pounds of pork, four (4) pounds of coffee, and six (6) pounds of brown sugar, amounting in money value to the sum of six dollars and forty-four cents (\$6.44), more or less, which said sum, the property of the United States, he received in payment for said stores, and did fail to turn over the said amount to the Acting Commissary of Subsistence, as required to do, but did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use, the said sum, six dollars and forty-four cents (\$6.44), be the same more or less. This at Fort Abererombie, D. T., on or about the 24th day of January, 1872."

CHARGE II.—"Wrongfully and knowingly disposing of subsistence stores, property of the United States, furnished for the military service of the United States, in violation of an act of Congress, entitled, 'An act to prevent and punish frauds upon the Government of the United States,' approved March 2d, 1863."

Specification.—"In this: that he, Private *Alvin W. Chormann*, Company

‘D,’ 20th Infantry, being on extra duty, and acting in the capacity of storekeeper in the Subsistence Department, U. S. Army, at Fort Abercrombie, D. T., under the orders of Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, and being, by said Captain G. B. Dandy, entrusted with the sale and issue of subsistence stores, the property of the United States, and with the temporary custody (until he should turn over the same) of the money derived from the sale thereof, and having been placed, by proper authority, in special charge and custody of all stores pertaining to the Subsistence Department, did wrongfully and knowingly dispose of the following named subsistence stores, more or less, property of the United States, by conniving at the removal of the same, and allowing them to be taken from the subsistence store-house, without lawful authority, and with intent to defraud the Government of the United States, viz.: six hundred and forty-seven (647) pounds of bacon, one hundred and twenty-seven (127) pounds of fresh beef, one hundred and eighty-two (182) pounds of hard bread, thirty-one (31) pounds of beans, twenty-one and nine-tenths (21 9-10) pounds of green coffee, thirty-one and one-half (31½) pounds of roasted coffee, five and three-fourths (5¾) pounds of black tea, three hundred and fifty-seven (357) pounds of common salt, twenty-three and one-half (23½) pounds of tobacco, one hundred and nine (109) pounds of white sugar, (cut loaf, granulated, and crushed,) five (5) gallons of syrup, seven (7) gallons of molasses, one (1) cake toilet soap, three and one quarter (3¼) pounds of glycerine soap, eight (8) pounds of table salt, two (2) pounds of dried cod-fish, ten (10) boxes of sardines, forty-six (46) pounds of dried apples, twenty (20) pounds of dried peaches, forty-one (41) pounds of prunes, six and one-half (6½) gallons of sauer kraut, three (3) cans of oysters, two (2) cans of clams, four (4) cans of tomatoes, five (5) cans of green corn, three (3) cans of green peas, fourteen (14) cans of fresh peaches, one (1) can of pineapple, six (6) cans of assorted preserves, six (6) cans of preserved quinces, one (1) can of preserved damsons, eleven (11) cans of condensed milk, three and one-fourths (3¼) pounds of mustard, one-half (½) pound of allspice, one-half (½) pound of ginger, three-fourths (¾) of one (1) pound of nutmeg, four (4) bottles of extract

of lemon, six (6) bottles extract of vanilla, one (1) bottle of Worcestershire sauce, fifteen (15) pounds of lard, four (4) pounds of laundry starch, five (5) pounds of green tea, two (2) cans of preserved strawberries. This at Fort Abererombie, D. T., during the month of January, 1872, and particularly between the 20th and 31st days of that month."

CHARGE III.—"Disobedience of Orders."

Specification.—"In this: that he, Private *Alvin W. Chormann*, Company 'D,' 20th Infantry, being on extra duty, and acting in the capacity of storekeeper in the Subsistence Department, U. S. Army, at Fort Abererombie, D. T., under the orders of Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, and being, by said Captain G. B. Dandy, entrusted with the sale and issue of subsistence stores, the property of the United States, and with the temporary custody (until he should turn over the same) of the money derived from the sale thereof, and having been ordered by his immediate Commanding Officer, the said Captain G. B. Dandy, to enter all cash sales in the book of sales kept for that purpose in the subsistence storehouse, and to turn over to him, the said Captain G. B. Dandy, Assistant Quartermaster, Acting Commissary of Subsistence, daily, the money arising from all sales, did neglect and fail to obey said orders. This on or about the 18th and 24th days of December, 1871, and the 3d, 6th, 17th and 24th days of January, 1872."

To which the accused pleaded as follows:

CHARGE I.

To the 1st *Specification*, "Guilty, excepting the words, 'did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use, twenty-three dollars and thirty cents (\$23.30) thereof, be the same more or less,' and to the excepted words, Not Guilty."

To the 2d *Specification*, "Guilty, excepting the words, 'did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use,' and to the excepted words, Not Guilty."

To the 3d *Specification*, "Guilty, excepting the words, 'did fraudulently

embezzle, and knowingly and willfully misappropriate and apply to his own use,' and to the excepted words, Not Guilty."

To the 4th *Specification*, "Guilty, excepting the words, 'did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use,' and to the excepted words, Not Guilty."

To the 5th *Specification*, "Guilty, excepting the words, 'did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use,' and to the excepted words, Not Guilty."

To the 6th *Specification*, "Guilty, excepting the words, 'did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use,' and to the excepted words, Not Guilty."

To the 7th *Specification*, "Guilty, excepting the words, 'did fraudulently embezzle, and knowingly and willfully misappropriate and apply to his own use,' and to the excepted words, Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty."

Of the 4th *Specification*, "Guilty."

Of the 5th *Specification*, "Guilty."

Of the 6th *Specification*, "Guilty."

Of the 7th *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE III.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Alvin W. Chormann*, Company "D," 20th Infantry, "*To be dishonorably discharged the service of the United States, and to forfeit all pay and allowances which are now due, or which may become due, and to be confined in such penitentiary as the Commanding General may direct, for the period of four (4) years.*"

2d. Private *William Myer*, Company "C," 20th Infantry.

CHARGE—"Desertion."

Specification.—"In this: that he, Private *William Myer*, Company 'C,' 20th U. S. Infantry, a duly enlisted soldier in the service of the United States, did desert the same on the morning of the 18th day of January, 1872, and did remain absent therefrom until apprehended at or near Faribault's Mail Station, distant from Fort Ransom, D. T., twenty-eight (28) miles. Thirty dollars (\$30.00) paid for his apprehension. This at Fort Ransom, D. T., on or about the time specified."

To which the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Myer*, Company "C," 20th U. S. Infantry, "*To be confined at hard labor under charge of the guard, at such place as the reviewing authority may direct, for the period of two (2) years, and to forfeit to the United States all pay and allowances which are due, or may become due, during the period of his confinement.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *Alvin W. Chormann*, Company "D," 20th Infantry, are approved, and the sentence will be duly executed. The Minnesota State Prison, at Stillwater, Minn., is designated as the place of confinement.

The proceedings, findings, and sentence in the foregoing case of Private *William Myer*, Company "C," 20th Infantry, are approved, and the sentence will be duly executed. Fort Snelling, Minn., is designated as the place of confinement.

III...The General Court Martial which convened at Fort Abercrombie, D. T., by virtue of Special Orders No. 85, current series, from these headquarters, and of which Captain J. C. BATES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

John B. Harton
Capt. 19th Infy A.C.S.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 4, 1872.

GENERAL ORDERS {
No. 35. }

For the better enforcement of the Army Regulation promulgated in General Orders No. 24, current series, War Department, Adjutant General's Office, the following instructions are announced for the information and guidance of all concerned, viz. :

In cases where a discharged soldier applies for and receives transportation in kind, the fact (*not the cost*,) will be plainly endorsed upon the face of the final statements by each officer furnishing the same, stating the points from and to which transportation is furnished, and in case rations are issued, the *number* issued will also be endorsed upon the final statements by the officer issuing the same.

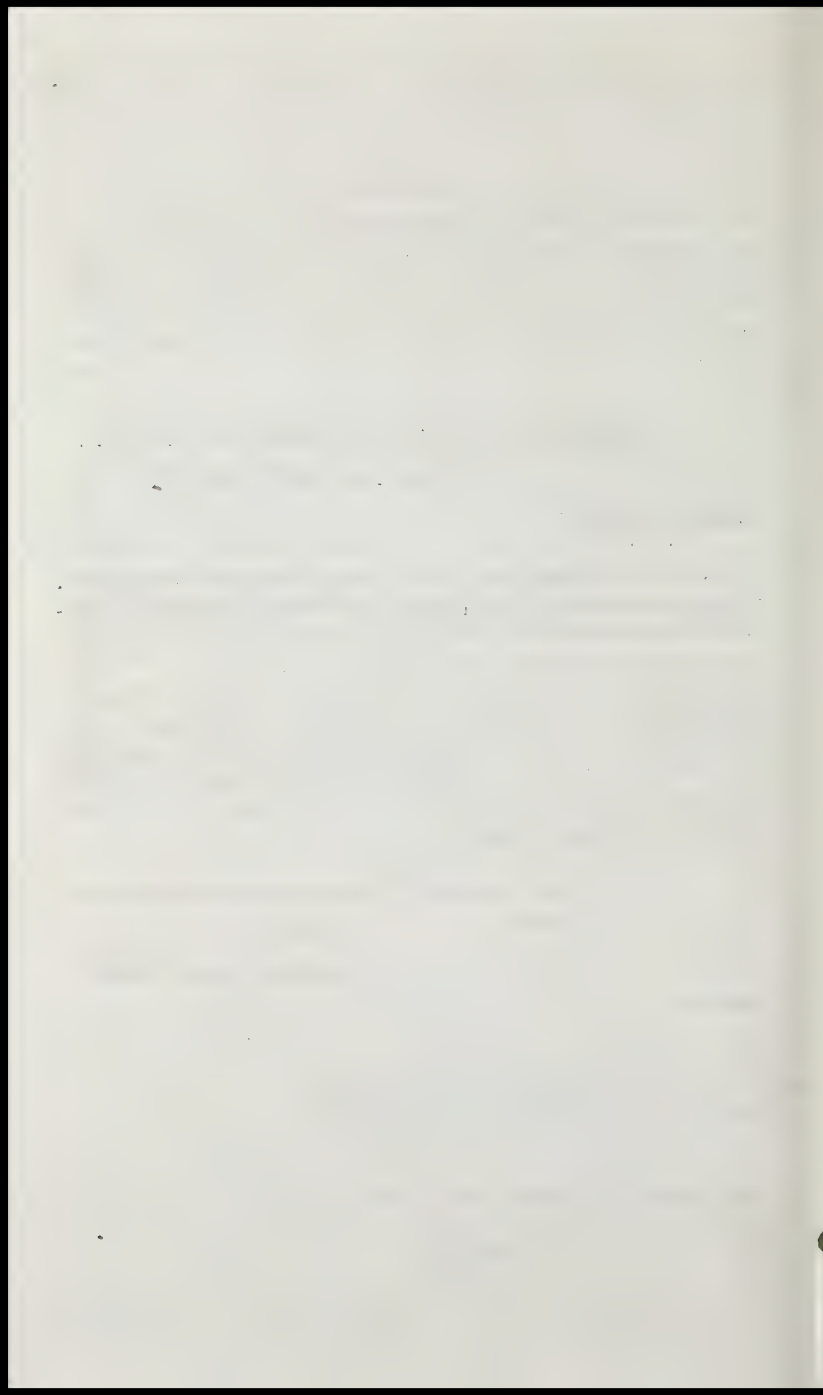
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

G. D. Luntell Ward
2nd. Lieut. 2nd Inf
A. D. C.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 14, 1872.

GENERAL ORDERS }
No. 36. }

Subject to the approval of the proper authorities, the following described lands, situated on the west bank of the Missouri river, at the Northern Pacific Railroad crossing of the same, are hereby reserved to the United States as a reservation for a military post to be built thereupon, viz.:

"Beginning at the initial point ('A' on the map,) marked by a stake and mound on the edge of the first bench, about one and one-quarter ($1\frac{1}{4}$) miles above the railroad crossing, running thence west one (1) mile, thence south one (1) mile, thence east one (1) mile, thence north eighty degrees (80°) east one-quarter ($\frac{1}{4}$) of a mile, thence south forty-five degrees (45°) east to the line defining the right of way of the railroad, thence along this line to the bank of the Missouri river, thence up this bank to a point due east of the initial point, and thence direct to the initial point."

Subject to the approval of the War Department, the post above mentioned will be known as "Fort McKeen," in commemoration of the late distinguished Colonel *H. Boyd McKeen*, 81st Pennsylvania Volunteers, who served in the 2d Army Corps, Army of the Potomac, and bore a conspicuous part in all of the campaigns of that Army from the "Peninsula," 1862, until the battle of "Cold Harbor," June 3, 1864, where he was killed while intrepidly leading his brigade against the enemy's works.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

G. D. Lattin Ward

2nd Lieut. 22nd Inf.



(Corrected Copy.)

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 18, 1872.

GENERAL ORDERS }
No. 37. }

Subject to the approval of the proper authorities, the following described lands, situated near the Northern Pacific Railroad crossing of James river, Dakota Territory, are hereby reserved to the United States as a reservation for a military post to be built thereupon, viz.:

"Beginning at the point where an east and west line, one mile north of the line defining the right of way of the Railroad, intersects the east bank of Pipestone creek, the boundary lines run thence down Pipestone creek to its intersection with the line defining the right of way of the Railroad, thence along this line to the James river, thence north about eleven hundred (1100) feet to a point on the west bank of the James river, thence up the James river to where the first mentioned east and west line intersects it, thence west to the point of commencement."

Subject to the approval of the War Department, the new post above mentioned will be known as "Fort Cross," in commemoration of the late distinguished Colonel *Edward E. Cross*, 5th New Hampshire Volunteers, who served in the 2d Army Corps, Army of the Potomac, and took a conspicuous part in all of the great battles of that Army, from the "Peninsula," 1862, until the battle of "Gettysburg," where he was killed, July 2d, 1863, while chivalrously leading his brigade against the enemy.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

John S. Hartman
Capt. 10th Infy. A. I. C.



G. C. M.

Private *William Cummings*, Company "K," 17th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 26, 1872.

GENERAL ORDERS }
No. 38. }

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 75, current series, from these Headquarters, and of which Captain C. E. CLARKE, 17th Infantry, is President, was arraigned and tried:—

Private *William Cummings*, Company "K," 17th Infantry.

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *William Cummings*, Company 'K,' 17th Infantry, did behave in an insubordinate manner, and did forcibly resist the guard when ordered to arrest him by 1st Lieutenant Charles H. Greene, 17th Infantry, Officer of the Day, and did make use of highly insulting, indecent and abusive language toward the guard, who were in the execution of their duties at the time. This at Fort Rice, D. T., on or about the 8th day of March, 1872.

CHARGE II.—"Contempt and disrespect towards his Commanding Officer, in violation of the 6th Article of War."

Specification.—"In this: that he, Private *William Cummings*, Company 'K,' 17th Infantry, did use insulting and abusive language to—

wards 1st Lieutenant Charles H. Greene, 17th Infantry, Officer of the Day, who had ordered the arrest of said Private *William Cummings*, Company 'K,' 17th Infantry, making use of the following language, to-wit: 'You are a God damned —— to stand there and see a man abused, and if I could get up I would knock the God damned snoot off you, you son-of-a-bitch,' or words to that effect. All this at Fort Rice, D. T., on or about the 8th day of March, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *William Cummings*, Company "K," 17th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Cummings*, Company "K," 17th Infantry, "*To be confined at hard labor at the post where his company may be serving, under charge of the guard, for a period of six (6) months, and to forfeit to the United States ten dollars (\$10.00) per month of his monthly pay for the same period.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *William Cummings*, Company "K," 17th Infantry, are approved, and the sentence will be duly executed.

III...The General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 75, current series, from these Headquarters, and of which Captain C. E. CLARKE, 17th Infantry, is President, is hereby dissolved.

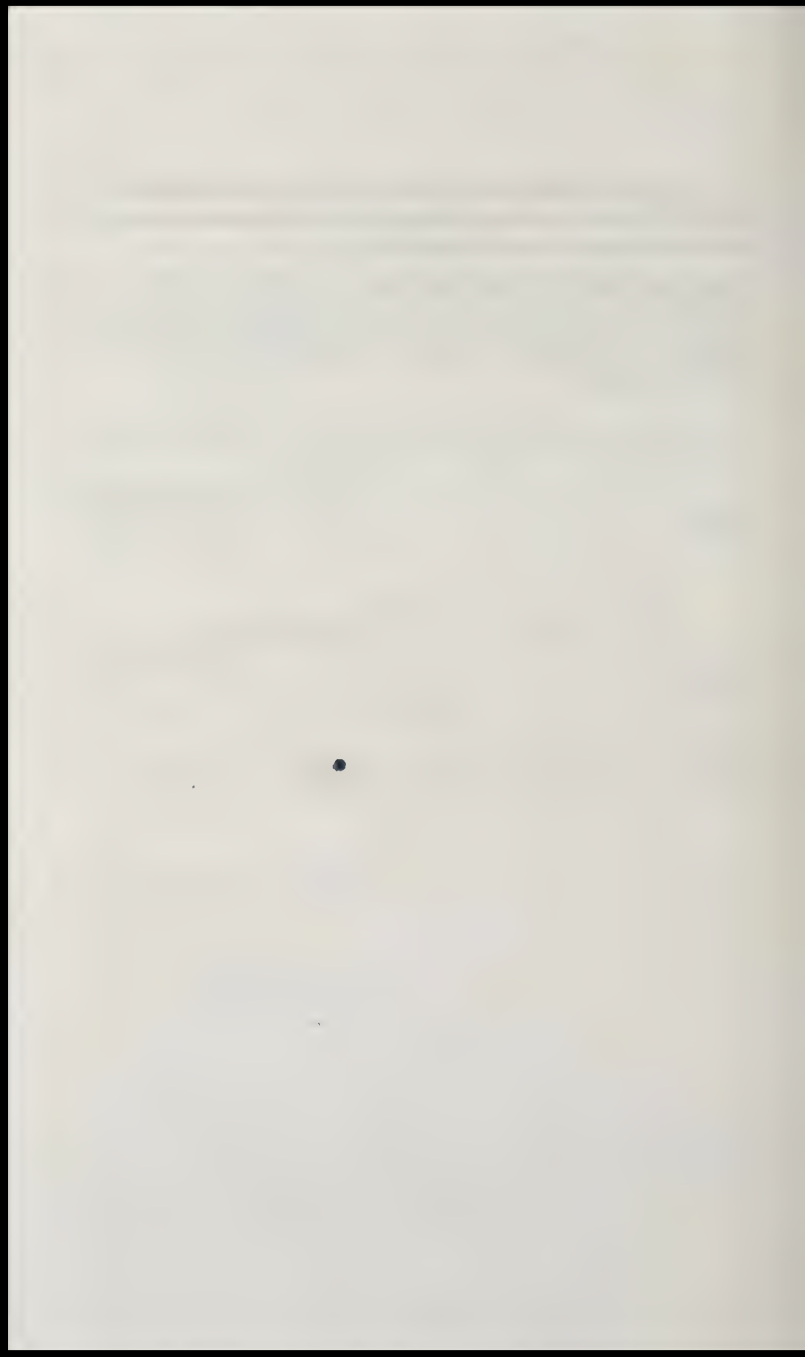
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. H. Lieber
Major & Judge Advocate
USA



G. C. M.

1. Sergeant *John O'Shea*, Company "A," 20th Infantry.
 2. Corporal *Adolph Schick*, Company "A," 20th Infantry.
 3. Corporal *John Morrissey*, Company "A," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 27, 1872.

GENERAL ORDERS)
No. 39.)

I...Before a General Court Martial which convened at Fort Pembina, D. T., by virtue of Paragraph II, Special Orders No. 76, current series, from these Headquarters, and of which Captain LOYD WHEATON, 20th Infantry, is President, were arraigned and tried:—

1st. Sergeant *John O'Shea*, Company "A," 20th Infantry.

CHARGE I.—"Disobedience of orders."

Specification.—"In this: that he, Sergeant *John O'Shea*, Company 'A,' 20th Infantry, when Sergeant of the Guard, having received orders from the Commanding Officer to confine Hospital Steward Charles Wilson in the guard-house, and keep him there, did disobey said order, and allow him, said Charles Wilson, to leave his confinement, and walk within the limits of the camp. This at Fort Totten, D. T., on or about April 9th, 1872."

CHARGE II.—"Assumption of authority, to the prejudice of good order and military discipline."

Specification.—"In this: that he, said Sergeant *John O'Shea*, Company 'A,' 20th Infantry, when Sergeant of the Guard, did release

from confinement Hospital Steward Charles Wilson, without proper authority. This at Fort Totten, D. T., on or about April 9th, 1872."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, the said Sergeant *John O'Shea*, Company 'A,' 20th Infantry, when Sergeant of the Guard, did make Private Arnold Shubert, Company 'H,' 20th Infantry, a member of the guard, carry a log until released by the Officer of the Day. This at Fort Totten, D. T., on or about April 9th, 1872."

Specification II.—"In this: that he, said Sergeant *John O'Shea*, Company 'A,' 20th Infantry, when Sergeant of the Guard, did cruelly strike Private Arnold Shubert, Company 'H,' 20th Infantry, a member of the guard. This at Fort Totten, D. T., on or about April 9th, 1872."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE III.

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

CHARGE I.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE III.

Of the 1st *Specification*, "Guilty, but attach no criminality thereto."

Of the 2d *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Sergeant *John O'Shea*, Company "A," 20th Infantry.

2d. Corporal *Adolph Schick*, Company "A," 20th Infantry.

CHARGE.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this: that he, Corporal *Adolph Schick*, Company 'A,' 20th Infantry, while commandant of the post guard, duly mounted at Fort Totten, D. T., on the 23th day of December, 1871, did become and was found so drunk as to be unable to properly perform his duty. This at Fort Totten, D. T., on or about the day and date above written."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Corporal *Adolph Schick*, Company "A," 20th Infantry.

3d. Corporal *John Morrissey*, Company "A," 20th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Corporal *John Morrissey*, Company 'A,' 20th Infantry, did throw down, kick, and beat Private *Michael Foley*, Company 'A,' 20th Infantry. This at the beer saloon adjoining the sutler store, at Fort Totten, D. T., on or about the 7th day of March, 1872."

Specification II.—"In this: that he, Corporal *John Morrissey*, Company 'A,' 20th Infantry, did draw a knife and stab several times, Private *John Lyons*, Company 'H,' 20th Infantry. This at the beer saloon adjoining the sutler store, at Fort Totten, D. T., on or about the 7th day of March, 1872."

To which charge and specifications the accused pleaded as follows :

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *John Morrissey*, Company "A," 20th Infantry, "*To be reduced to the grade of a private soldier, and to forfeit to the United States, ten (10) dollars of his monthly pay per month for the period of four (4) months.*"

II...The proceedings, findings, and acquittals in the foregoing cases of Sergeant *John O'Shea* and Corporal *Adolph Schick*, Company "A," 20th Infantry, are approved. Orders have already been issued for their release from arrest and restoration to duty.

The proceedings, findings, and sentence in the foregoing case of Corporal *John Morrissey*, Company "A," 20th Infantry, are approved, and the sentence will be duly executed. He will be released from arrest and restored to duty.

III...The General Court Martial which convened at Fort Pembina, D. T., by virtue of Paragraph II, Special Orders No. 76, current series, from these Headquarters, and of which Captain *LOYD WHEATON*, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. H. Fisher
Major & Judge Advocate
USA



G. C. M.

1. Private *George A. Solder*, Company "F," 2d Cavalry.
 2. Private *William Geaghan*, Company "F," 2d Cavalry.
 3. Private *John Morrissey*, Company "L," 2d Cavalry.
 4. Private *Henry Myers*, Company "G," 2d Cavalry.
 5. Private *Daniel Brown*, Company "H," 2d Cavalry.
 6. Private *David A. Fowble*, Company "H," 2d Cavalry.
 7. Private *William J. Quinn*, Company "L," 2d Cavalry.
 8. Private *Benjamin Smith*, Company "L," 2d Cavalry.
 9. Private *James McCollam*, Company "F," 2d Cavalry.
 10. Private *Joseph Hana*, Company "L," 2d Cavalry.
 11. Private *Henry Worth*, Company "A," 7th Infantry.
 12. Private *John Dale*, Company "G," 2d Cavalry.
 13. Private *James Clark*, Company "L," 2d Cavalry.
 14. Private *John M. Blake*, Company "L," 2d Cavalry.
 15. Private *Dennis Collins*, Company "H," 2d Cavalry.
 16. Private *George S. Meyers*, Company "H," 2d Cavalry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 28, 1872.

GENERAL ORDERS No. 40.

I...Before a General Court Martial which convened at Fort Ellis, M. T., by virtue of Paragraph IV, Special Orders No. 76, current series, from these Headquarters, and of which Major E. M. BAKER, 2d Cavalry, is President, were arraigned and tried:—

1st. Private *George A. Solder*, Company "F," 2d Cavalry.

CHARGE—"Desertion."

Specification.—"In this: that he, Private *George A. Solder*, Company 'F,' 2d Cavalry, having been duly enlisted in the service of the United States as a soldier, did desert the same at Fort Ellis, M. T., on or about the 30th day of May, 1871, and did remain absent as a deserter until apprehended and brought back to the post, (Fort Ellis, M. T.,) under guard, on or about the 7th day of April, 1872. All this at Fort Ellis, M. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court having maturely considered the case, confirms the plea of the accused, and finds him, Private *George A. Solder*, Company "F," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George A. Solder*, Company "F," 2d Cavalry, "*To be confined at hard labor, in charge of the guard at the post where his company may be serving, wearing a twelve (12) pound ball, attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

2d. Private *William Geoghan*, Company "F," 2d Cavalry.

CHARGE—"Desertion."

Specification.—"In this: that he, Private *William Geoghan*, Company 'F,' 2d Cavalry, having been duly enlisted in the service of the United States as a soldier, did desert the same at Fort Ellis, M. T., on or about the 30th day of May, 1871, and did remain absent as a deserter until apprehended and brought back to the

post, (Fort Ellis, M. T.,) under guard, on or about the 7th day of April, 1872. All this at or near Fort Ellis, M. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *William Geoghan*, Company "F," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Geoghan*, Company "F," 2d Cavalry, "*To be confined at hard labor, in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

3d. Private *John Morrissey*, Company "L," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this : that he, Private *John Morrissey*, Company 'L,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Ellis, M. T., on or about the 15th day of April, 1872, and did remain absent therefrom until apprehended at or near Malad City, Idaho, on or about the 28th day of April, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *John Morrissey*, Company "L," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Morrissey*, Company "L," 2d Cavalry, "*To be confined at hard labor, in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball, attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

4th. Private *Henry Myers*, Company "G," 2d Cavalry.

CHARGE—"Desertion."

Specification.—"In this: that he, Private *Henry Myers*, Company 'G,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on or about March 29, 1872, and did remain a deserter until apprehended at or near Snake River Bridge, Idaho, on or about April 27, 1872. All this at or near Fort Ellis, M. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Henry Myers*, Company "G," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Myers*, Company "G," 2d Cavalry, "*To be confined at hard labor, in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball, attached to his leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

5th. Private *Daniel Brown*, Company "H," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, *Daniel Brown*, private, Company 'H,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on or about the 27th day of January, 1872, and did so remain a deserter until apprehended at or near Shed's Bridge, M. T., on or about the 9th day of April, 1872; thirty (30) dollars reward paid for his apprehension."

To which charge and specification the accused pleaded as follows:

To the Specification, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Daniel Brown*, Company "H," 2d Cavalry, as follows:

Of the Specification, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Daniel Brown*, Company "H," 2d Cavalry, "*To be confined at hard labor, in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball, attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or*

which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service."

6th. Private *David A. Fowble*, Company "H," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *David A. Fowble*, Company 'H,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on or about the 29th day of March, 1872, and did so remain a deserter until apprehended at or near Basin Station, on the Corinne and Helena road, M. T., on or about the 1st day of April, 1872; thirty (30) dollars reward paid for his apprehension."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *David A. Fowble*, Company "H," 2d Cavalry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *David A. Fowble*, Company "H," 2d Cavalry, "*To be confined at hard labor, in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball, attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

7th. Private *William J. Quinn*, Company "L," 2d Cavalry.

CHARGE—"Desertion."

Specification.—"In this: that he, Private *William J. Quinn*, Company 'L,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Ellis, M. T., on or about the 27th day of March, 1872, and did remain absent therefrom until apprehended at or near Pleasant Valley, Idaho, on or about the 25th day of April, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *William J. Quinn*, Company "L," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William J. Quinn*, Company "L," 2d Cavalry, "*To be confined at hard labor, in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball, attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, except the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

8th. Private *Benjamin Smith*, Company "L," 2d Cavalry.

CHARGE—"Desertion."

Specification.—"In this: that he, Private *Benjamin Smith*, Company 'L,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Ellis, M. T., on or about the 28th day of March, 1872, and did remain absent therefrom until apprehended at or near Snake River Bridge, Idaho, on or about the 27th day of April, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Benjamin Smith*, Company "L," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Benjamin Smith*, Company "L," 2d Cavalry, "*To be confined at hard labor, in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball, attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

9th. Private *James McCollam*, Company "F," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this : that he, Private *James McCollam*, Company 'F,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 29th day of March, 1872, and did remain absent as a deserter until apprehended near Camas Creek, Idaho, on or about the 25th day of April, 1872. This at Fort Ellis, M. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *James McCollam*, Company "F," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James McCollam*, Company "F," 2d Cavalry, "*To be confined at hard labor in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

10th. Private *Joseph Hana*, Company "L," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Joseph Hana*, Company 'L,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on or about the 28th day of March, 1872, and did remain absent until apprehended at or near 'Point of Rocks,' M. T., on or about the 3d day of April, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Joseph Hana*, Company "L," 2d Cavalry, as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Hana*, Company "L," 2d Cavalry, "*To be confined at hard labor in charge of the guard, at the post where his company may be serving, wearing a twelve (12)*

pound ball attached to his left leg by a chain six (6) feet long, for a period of three years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service."

11th. Private *Henry Worth*, Company "A," 7th Infantry.

CHARGE—"Violation of the 99th Article of War."

Specification.—"In this: that he, Private *Henry Worth*, Company 'A,' 7th Infantry, did enter the room of the 1st Sergeant Company 'A,' 7th Infantry, without knocking at the door, and upon being reprimanded for the same by 1st Sergeant *Patrick Rogan*, Company 'A,' 7th Infantry, did reply in unusual loud tone: 'How could I knock when the door is open,' or words to that effect. He, Private *Worth*, being then ordered to leave the room by 1st Sergeant *Patrick Rogan*, did leave the room, but immediately returned, and going up to 1st Sergeant *Patrick Rogan*, who was then sitting in his (1st Sergeant's) room, and without just cause or provocation, he, Private *Henry Worth*, Company 'A,' 7th Infantry, did strike 1st Sergeant *Patrick Rogan*, Company 'A,' 7th Infantry, with intent to do him bodily harm. This at Fort Ellis, M. T., on or about the 2d day of March, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Henry Worth*, Company "A," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Henry Worth*, Company "A," 7th Infantry, "To forfeit ten dollars of his monthly pay for the period of three months."

12th. Private *John Dale*, Company "G," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *John Dale*, Company 'G,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on or about March 29th, 1872, and did remain a deserter until apprehended at or near Malad, Idaho, on or about the 1st day of May, 1872. All this at Fort Ellis, M. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *John Dale*, Company "G," 2d Cavalry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Dale*, Company "G," 2d Cavalry, "*To be confined at hard labor in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

13th. Private *James Clark*, Company "L," 2d Cavalry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *James Clark*, Company 'L,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Ellis, M. T., on or about the 15th day of April, 1872, and did remain absent therefrom

until apprehended at or near Malad City, Idaho, on or about the 28th day of April, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *James Clark*, Company "L," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Clark*, Company "L," 2d Cavalry, "*To be confined at hard labor in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

14th. Private *John M. Blake*, Company "L," 2d Cavalry.

CHARGE—"Desertion."

Specification.—"In this : that he, Private *John M. Blake*, Company 'L,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on or about the 27th day of March, 1872, and did remain absent until apprehended at or near Basin Station, M. T., on or about the 1st day of April, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *John M. Blake*, Company "L," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John M. Blake*, Company "L," 2d Cavalry, "*To be confined at hard labor in charge of the guard, at the post where his company may be serving, wearing a twelve (12) pound ball attached to his left leg by a chain six (6) feet long, for a period of three (3) years, and to forfeit all pay and allowances that are due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

15th. Private *Dennis Collins*, Company "H," 2d Cavalry.

CHARGE—"Desertion."

Specification.—"In this : that he, *Dennis Collins*, private Company 'H,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on or about the 29th day of March, 1872, and did so remain a deserter until apprehended at or near Basin Station, on the Corinne and Helena road, M. T., on or about the 1st day of April, 1872. Thirty (30) dollars reward paid for his apprehension."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Dennis Collins*, Company "H," 2d Cavalry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Dennis Collins*, Company "H," 2d Cavalry, "*To be confined at hard labor in charge of the guard, at the post where his company may be serving, for the period of three (3) years, wearing a twelve (12) pound ball attached to his left leg by a chain six (6) feet long, and to forfeit all pay and allowances now due him, or which may become due him, excepting the just dues of the laundress, and then to be dishonorably discharged and drummed out of the service.*"

16th. Private *George S. Meyers*, Company "H," 2d Cavalry.

CHARGE—"Desertion."

Specification.—"In this: that he, *George S. Meyers*, private Company 'H,' 2d Cavalry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ellis, M. T., on or about the 19th day of April, 1872, and did so remain a deserter until he surrendered himself at Fort Ellis, M. T., on or about the 20th day of April, 1872.

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *George S. Meyers*, Company "H," 2d Cavalry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George S. Meyers*, Company "H," 2d Cavalry, "*To be confined at hard labor in charge of the post guard, for the period of six (6) months, and to forfeit ten (10) dollars of his monthly pay for the same period.*"

II...The proceedings, findings, and sentences in the foregoing cases of Private *Henry Worth*, Company "A," 7th Infantry, Privates *George A. Solder*, *William Geaghan*, and *James McCollam*, Company "F," 2d Cavalry, Privates *John Morrissey*, *William J. Quinn*, *Benjamin Smith*, *Joseph Hana*, *James Clark*, and *John M. Blake*, Company "L," 2d Cavalry, Privates *Henry Myers* and *John Dale*, Company "G," 2d Cavalry, and Privates *Daniel Brown*, *David A. Fowble*, *Dennis Collins*, and *George S. Meyers*, Company "H," 2d Cavalry, are approved, and the sentences will be duly executed.

III...The General Court Martial which convened at Fort Ellis, M. T., by virtue of Paragraph IV, Special Orders No. 76, current series, from these Headquarters, and of which Major E. M. BAKER, 2d Cavalry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. R. Lister
Major Judge Advocate
U.S.A.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., June 29, 1872.

GENERAL ORDERS } No. 41. }

Upon the recommendation of the Chief Quartermaster of the Department the number of civilian clerks authorized by existing instructions from the War Department, for service in the Quartermaster's Department in this Military Department, is distributed as follows, viz.:

Office of Chief Quartermaster,	2
Office of Depot Quartermaster, St. Paul,	2
Clothing Depot at Fort Snelling,	1
Fort Abercrombie,	1
Fort Rice,	1
Fort Shaw,	1
Fort Ellis,	1
Fort Buford,	1
Fort McKeen,	1
Sioux City, Iowa,	2

This order will take effect from and after the 31st proximo. All clerks in the Quartermaster's Department in excess of this number will be discharged on that date.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. S. Lathrop Ward
2nd Lt. 22nd Inf.
A. D. C.



G. C. M.

1. Private *Frederick J. Rawlings*, Company "H," 22d Infantry.
 2. Private *James Nesbitt*, Company "K," 22d Infantry.
 3. Private *George Evans*, Company "D," 22d Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 1, 1872.

GENERAL ORDERS } No. 42. }

I...Before a General Court Martial which convened at Fort Randall, D. T., by virtue of Paragraph 3, Special Orders No. 76, current series, from these Headquarters, and of which Lieutenant Colonel E. S. OTIS, 22d Infantry, is President, were arraigned and tried:—

1st. Private *Frederick J. Rawlings*, Company "H," 22d Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Frederick J. Rawlings*, Company 'H,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert said service on or about the 24th day of April, 1872, and did remain absent until apprehended at Bon Homme, D. T., on or about the 26th day of April, 1872; \$30.00 reward paid for apprehension. All this at or near Fort Randall, D. T., on or about the dates above specified."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Frederick J. Rawlings*, Company "II," 22d Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frederick J. Rawlings*, Company "II," 22d Infantry, "*To be confined at hard labor in charge of the guard, at the post where his company may be serving, for two (2) years, with forfeiture of all pay for same period.*"

2d. Private *James Nesbitt*, Company "K," 22d Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *James Nesbitt*, Company 'K,' 22d Infantry, a duly enlisted soldier in the service of the United States, did desert the said service on or about the 24th day of April, 1872, and did remain absent until apprehended at or near Bon Homme, D. T., on or about the 26th day of April, 1872, (\$30.00 reward paid for his apprehension.) All this at or near Fort Randall, D. T., on or about the time above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *James Nesbitt*, Company 'K,' 22d Infantry, did feloniously take, steal, and carry away with him one (1) breech-loading Springfield rifle, model 1868, and twenty (20) rounds centre primed metallic cartridges, the property of the United States, and for which Captain *George H. Cram*, 22d Infantry, is responsible. All this at Fort Randall, D. T., on or about the 24th of April, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *James Nesbitt*, Company "K," 22d Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Nesbitt*, Company "K," 22d Infantry, "*To forfeit all pay now due, or which may become due, and be confined at hard labor in such penitentiary as the Major General Commanding the Department may direct, for the period of two (2) years, and at the expiration of that time to be dishonorably discharged the service of the United States.*"

3d. Private *George Evans*, Company "D," 22d Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Private *George Evans*, Company 'D,' 22d Infantry, did enter the company office and there conduct himself in a disorderly manner, and when ordered by 1st Sergeant August Seibrecht, Company 'D,' 22d Infantry, to go to his quarters, did refuse to do so. All this at or near Fort Randall, D. T., on or about May 18th, 1872."

Specification II.—"In this: that he, Private *George Evans*, Company 'D,' 22d Infantry, did, while under charge of a sentinel as a prisoner, enter the company quarters and use the following threatening and abusive language toward Corporal John Lawton, Company 'D,' 22d Infantry, to wit: 'Lawton, I'll be even with you, I'll fix you, I'll lick you yet; five years is a long time to get even in; you are no man, you are nothing but a damn pimp,' or words to that effect. All this at or near Fort Randall, D. T., on or about May 18th, 1872."

Specification III.—"In this: that he, Private *George Evans*, Company 'D,' did, while in confinement at the post guard-house, shout to 1st Sergeant August Seibrecht, Company 'D,' 22d Infantry, in an insulting and defiant manner, and use the following language, to wit: 'Go and tell him, (meaning Captain C. A. Webb, 22d Infantry, commanding company) tell him all the lies you can, damn you, you Dutch bastard,' or words to that effect. All this at or near Fort Randall, on or about May 18th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *George Evans*, Company "D," 22d Infantry, as follows:

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Evans*, Company "D," 22d Infantry, "To be confined at hard labor in charge of

the guard, at the post where his company may be serving, for three (3) months, with loss of all pay for the same period."

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Frederick J. Rawlings*, Company "H," and *George Evans*, Company "D," 22d Infantry, are approved, and the sentences will be duly executed.

The proceedings and findings in the foregoing case of Private *James Nesbitt*, Company "K," 22d Infantry, are approved. The sentence is modified so that the dishonorable discharge will take effect at the commencement of the term of confinement. As thus modified, the sentence will be duly executed. The Minnesota State Prison, at Stillwater, is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. H. Lister
Major & Judge Advocate
U.S.A.



G. C. M.

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|------|--|------------------|
| 1. { | Private <i>Edward Leonard</i> , Company "I," 7th Infantry. | } Tried jointly. |
| | Private <i>George Mappin</i> , Company "I," 7th Infantry. | |
| | Private <i>James Mullen</i> , Company "I," 7th Infantry. | |
| 2. | Sergeant <i>Phillip Leary</i> , Company "D," 7th Infantry. | |
| 3. | Private <i>Charles E. Bowen</i> , Company "I," 7th Infantry. | |
| 4. | Private <i>Joseph Lynch</i> , Company "I," 7th Infantry. | |
| 5. | Private <i>George Mappin</i> , Company "I," 7th Infantry. | |
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 2, 1872.

GENERAL ORDERS } No. 43. }

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 2, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:—

1st. Privates *Edward Leonard*, *George Mappin*, and *James Mullen*, Company "I," 7th Infantry. (Tried jointly.)

CHARGE I.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that *Edward Leonard*, *George Mappin*, and *James Mullen*, privates in Company 'I,' 7th Infantry, did feloniously, and without proper authority, enter, or assist in entering, a room in which medical and hospital supplies were stored, and did take therefrom, steal, carry away and appropriate to their own use, or did assist in taking therefrom, stealing, carrying away and

appropriating to their own use, the following articles of medical and hospital supplies, the property of the United States, and for which Assistant Surgeon Washington Matthews, U. S. Army, was responsible, viz.: Twelve (12) bottles of brandy, thirty-two (32) bottles of alcohol, twelve (12) bottles of sherry wine, three (3) bottles of mucilage, three (3) bottles of red ink, sixteen (16) ounces of opium tincture, deodorized, eight (8) ounces of potassæ arsenitis liquor, five (5) packing boxes, be the same more or less. All this at Fort Buford, D. T., between the 15th and 21st of July, 1871, or thereabouts."

Specification II.—"In this: that *Edward Leonard*, *George Mappin*, and *James Mullen*, privates in Company 'I,' 7th Infantry, did, without the prescription of a medical officer, or in any other authorized way, obtain, have in their possession, and distribute to other enlisted men, hospital liquors, the property of the United States, and for which Assistant Surgeon Washington Matthews, U. S. Army, was responsible. This at Fort Buford, D. T., between the 15th and 23d of July, 1871, or thereabouts."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that *Edward Leonard*, *George Mappin*, and *James Mullen*, privates in Company 'I,' 7th Infantry, did feloniously, and without proper authority, enter, or assist in entering, a room in which medical and hospital supplies were stored, and did take therefrom, steal, carry away and appropriate to their own use, or did assist in taking therefrom, stealing, carrying away and appropriating to their own use, the following articles of medical and hospital supplies, the property of the United States, and for which Assistant Surgeon Washington Matthews, U. S. Army, was responsible, viz.: Twelve (12) bottles of brandy, thirty-two (32) bottles of alcohol, twelve (12) bottles of sherry wine, three (3) bottles of mucilage, three (3) bottles of red ink, sixteen (16) ounces of opium tincture, deodorized, eight (8) ounces of potassæ arsenitis liquor, five (5) packing boxes, be the same more or less. All this at Fort Buford, D. T., between the 15th and 21st of July, 1871, or thereabouts."

To which charges and specifications the accused severally pleaded as follows :

CHARGE I.

To the 1st *Specification*, "Not Guilty."
 To the 2d *Specification*, "Not Guilty."
 To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."
 To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Privates *Edward Leonard*, *George Mappin*, and *James Mulen*, Company "1," 7th Infantry, as follows :

CHARGE I.

Of the 1st *Specification*, "Not Guilty."
 Of the 2d *Specification*, "Not Guilty."
 Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."
 Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit them.*"

2d. Sergeant *Phillip Leary*, Company "D," 7th Infantry.

CHARGE.—"Neglect of duty."

Specification.—"In this : that he, Sergeant *Phillip Leary*, Company 'D,' 7th Infantry, being on duty as junior Sergeant of the Guard, did neglect to remain in charge of the prisoners, in obedience to instructions for post guard, but did abandon them, whereby five prisoners escaped. This at Fort Buford, D. T., on or about February 11, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Sergeant *Phillip Leary*, of Company "D," 7th Infantry, as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence the accused, Sergeant *Phillip Leary*, of Company "D," 7th Infantry, "*To be reduced to the ranks as a private soldier, and to forfeit ten dollars of his monthly pay per month for three months.*"

3d. Private *Charles E. Bowen*, Company "I," 7th Infantry.

CHARGE I.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this : that he, *Charles E. Bowen*, a private of Company 'I,' 7th Infantry, did feloniously steal, take, carry away, and appropriate to his own use, one decanter of whisky, or the contents thereof, the property of *Alvin C. Leighton*, post trader. This at Fort Buford, D. T., on or about the 31st day of January, 1872."

CHARGE II.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this : that he, *Charles E. Bowen*, a private of Company 'I,' 7th Infantry, did become so much under the influence of intoxicating liquor as to make a disturbance at the bar-room of the post trader's establishment, and did use threatening and abusive language towards one *William Crooks*, an employee of the post trader. This at Fort Buford, D. T., on or about the 31st day of January, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Charles E. Bowen*, Company "I," 7th Infantry, as follows :

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'feloniously steal,' and 'carry away and appropriate to his own use,' and of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles E. Bowen*, of Company "I," 7th Infantry, "*To be confined at hard labor, in charge of the guard, for the period of three months, and to forfeit ten dollars per month of his monthly pay for the same period.*"

4th. Private *Joseph Lynch*, Company "I," 7th Infantry.

CHARGE.—"Neglect of duty."

Specification.—"In this: that he, Private *Joseph Lynch*, Company 'I,' 7th Infantry, being a member of the post guard, and having charge of six prisoners, did permit five of them to escape. This at Fort Buford, D. T., on or about February 11, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Joseph Lynch*, Company "I," 7th Infantry :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Joseph Lynch*, of Company "I," 7th Infantry, "*To be confined in charge of the guard for one month, and to forfeit twelve dollars of his monthly pay for the same period,*" the Court being thus lenient on account of the mitigating circumstances of the darkness of the morning and the large number of prisoners entrusted to his care.

5th. Private *George Mappin*, Company "I," 7th Infantry.

CHARGE—"Desertion."

Specification I.—"In this: that he, Private *George Mappin*, Company 'I,' 7th Infantry, a duly enlisted soldier in the military service of the United States, did desert the service of the United States, and did remain absent until apprehended by Corporal Samuel Wurtsbaugh, of Company 'D,' 7th Infantry, on or near the Yellowstone river. This at Fort Buford, D. T., on or about the 11th of February, 1872."

Specification II.—"In this: that he, Private *George Mappin*, of Company 'I,' 7th Infantry, a duly enlisted soldier in the military service of the United States, did desert the service of the United States, and did remain absent until he was apprehended by Sergeant Milden H. Wilson, of Company 'I,' 7th Infantry. This at Fort Buford, D. T., on or about the 22d of February, 1872."

To which charge and specifications the accused pleaded as follows :

To the 1st *Specification*, "Not Guilty."
 To the 2d *Specification*, "Not Guilty."
 To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *George Mappin*, Company "I," 7th Infantry, as follows:

Of the 1st *Specification*, "Guilty."
 Of the 2d *Specification*, "Guilty."
 Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Mappin*, Company "I," 7th Infantry, "*To forfeit all pay and allowances now due, or that may become due ; to be confined at hard labor, in such military prison as the Commanding General may designate, until the expiration of the period for which he enlisted, and then to have his head shaved and be dishonorably discharged and drummed out of the service.*"

II...The proceedings, findings, and acquittal in the case of Privates *Edward Leonard*, *George Mappin*, and *James Mullen*, Company "I," 7th Infantry, (tried jointly,) are approved. Privates *Leonard* and *Mullen* will be released from confinement and restored to duty.

The proceedings, findings, and sentences in the cases of Sergeant *Philip Leary*, Company "D," 7th Infantry, and Privates *Charles E. Bowen* and *Joseph Lynch*, Company "I," 7th Infantry, are approved, and the sentences will be duly executed.

The proceedings, findings, and sentence in the case of Private *George Mappin*, Company "I," 7th Infantry, are approved, and the sentence will be duly executed, with the exception of so much thereof as

relates to shaving the head, which is remitted. The post where he is now in confinement is designated as the place of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. H. Lieber
Major of July 20 Advocate
USA

G. C. M.

1. Captain *John H. Donovan*, 17th Infantry.
 2. Private *Jesse Blevins*, Company "F," 17th Infantry.
 3. Private *Thomas Lane*, Company "F," 17th Infantry.
 4. Private *James White*, Company "B," 17th Infantry.
 5. Private *John Kavanaugh*, Company "B," 17th Infantry.
 6. Private *James Desmond*, Company "B," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 10, 1872.

GENERAL ORDERS } No. 44. }

I...Before a General Court Martial which convened at Fort Sully, D. T., by virtue of Special Orders No. 244, series of 1871, from these Headquarters, and reconvened at Fort Rice, D. T., by virtue of Special Orders No. 86, current series, from these Headquarters, and of which Colonel D. S. STANLEY, 22d Infantry, is President, were arraigned and tried:—

1st. Captain *John H. Donovan*, 17th Infantry.

CHARGE I.—"Conduct unbecoming an officer and a gentleman."

Specification.—"In this: that he, the said Captain *John H. Donovan*, 17th Infantry, U. S. A., being a commissioned officer in the U. S. Army, did, on or about the 13th day of November, 1871, in the city of Sioux City, Iowa, write and sign the following communication, in words and figures as follows, to wit: (the words underscored being as they appear in the original.)

CLIFTON HOUSE.
JOHN WEBER, OWNER AND PROPRIETOR.

Sioux City, Iowa, Nov. 13th, 1871.

Strictly Confidential.

My dear fellow:—

I desire in the most approved manner that you should quietly ascertain for me, what men of the command know anything about the case of Annie Wagner versus Captain L. H. Sanger. Canvass, in your own way, those whom you may suppose, or have reason to believe can testify to the seduction and abortion on the part of Sanger on the person of Annie Wagner. I have you down as a witness in the case. Bear in mind that hearsay evidence is not good evidence, facts must be positive and sworn to as positive. I have a particular reason in writing to you on this business. I am aware of your ability and already hold your secret. I have seen your article entitled 'Buck Soldier,' and know you to be the author of it. Write to me at Fort Sully, and tell me positively whom I may depend upon as a witness against Goddard and Sanger. I have preferred charges against them both.

Patrick, let me know what the feeling is at Fort Rice, and tell me the whole truth. In due time you will not be sorry for anything you may do in my favor. What did General Crittenden think of the piece of infamy perpetrated against me?

After you read this letter, burn it, you know what I mean.

Don't fail me, and I will be your sincere friend.

(Signed)

J. H. DONOVAN,
Captain, 17th Infantry.

P. S. I will leave here for Sully on Friday, 17th instant.

(Signed)

J. H. D.

And enclosed said letter in an envelope addressed 'Private Patrick Maher, Company 'G,' 17th Infantry, Fort Rice, D. T.,' said envelope and enclosure being received at Fort Rice, D. T., by mail, on or about the 6th day of December, 1871, the said Captain *John H. Donovan*, 17th Infantry, knowing the said Patrick Maher to have been a duly enlisted soldier in the U. S., and in the service at the time of Captain *Donovan's* leaving Fort Rice, August 28th, 1871, and believing him to be in the service at the time of writing the aforesaid letter, and further believing him to be the author of the article signed 'Buck Soldier,' referred to in the foregoing letter of Captain *J. H. Donovan*, which letter was published in the *Sioux City (Iowa) Times* issue of November 12, 1871, and contained false and scandalous statements concerning Captain L.

II. Sanger, 17th Infantry, and reflected seriously upon the post of Fort Rice, and the Army at large."

CHARGE II.—"Disrespect towards his Commanding Officer, in violation of the 6th Article of War."

Specification.—"In this: that the said Captain *John H. Donovan*, 17th Infantry, did, at Fort Rice, D. T., on or about the 30th day of December, 1871, at the trader's store, in the presence of officers, say, 'I don't care a God damn for General Crittenden,' (meaning Colonel T. L. Crittenden, 17th Infantry, commanding post,) 'I'll go for him or any of the officers here. General Sherman authorized me to go for any one who persecuted me,' or words to that effect."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*.—Thrown out by the Court upon special plea of the accused in bar of trial.

To the CHARGE.—Thrown out by the Court upon special plea of the accused in bar of trial.

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Captain *John H. Donovan*, 17th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words 'false and,' of the excepted words, Not Guilty."

Of the CHARGE, "Not Guilty, but Guilty of conduct to the prejudice of good order and military discipline."

SENTENCE.

And the Court does therefore sentence him, Captain *John H. Donovan*, 17th U. S. Infantry, "To be suspended from rank, command, and allow-

ances for two (2) years, and to forfeit all his yearly salary for two (2) years, excepting sixty-five dollars (\$65.00) per month."

2d. Private *Jesse Blevans*, Company "F," 17th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, the said Private *Jesse Blevans*, Company 'F,' 17th U. S. Infantry, did feloniously take and steal from a citizen, William Harmon, Indian trader at Grand River Agency, D. T., certain property, to wit: two or more blankets, six or more pocket knives, and five or more pounds of candy. This at or near Grand River Agency, Dakota Territory, between the 1st of March and the 10th of April, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Jesse Blevans*, Company "F," 17th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Jesse Blevans*, Company "F," 17th Infantry, "*To be confined in such penitentiary as the General Commanding may designate, for the period of five (5) years, and then to be dishonorably discharged the service of the United States, forfeiting all pay and allowances.*"

3d. Private *Thomas Lane*, Company "F," 17th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, the said Private *Thomas Lane*, Company 'F,' 17th U. S. Infantry, did feloniously take and steal from a citizen, William Harmon, Indian trader at Grand River Agency, D. T., certain property, to-wit: two or more blankets, six or more pocket knives, and five or more pounds of candy. This at or near Grand River Agency, Dakota Territory, between the 1st of March and the 10th of April, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused, Private *Thomas Lane*, Company "F," 17th Infantry, as follows:

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*."

4th. Private *James White*, Company "B," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *James White*, Company 'B,' 17th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Cheyenne Agency, D. T., on or about the 3d day of April, 1872, and did remain absent therefrom until apprehended and brought back as a deserter, thirty dollars (\$30.00) being paid for his apprehension. This at Cheyenne Agency, D. T., on or about the date above specified."

CHARGE II.—"Violation of the 50th Article of War."

Specification.—"In this: that he, Private *James White*, Company 'B,' 17th Infantry, having been regularly detailed and placed upon duty as a member of the guard mounted at the U. S. military station at the Cheyenne Agency, D. T., on or about the 2d day of

April, 1872, did quit said guard without the leave of a superior officer, and before being regularly relieved, and desert the service of the United States. This at the Cheyenne Agency, D. T., on or about the 3d day of April, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *James White*, Company "B," 17th Infantry, as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James White*, Company "B," 17th Infantry, "*To forfeit all pay and allowances now due or to become due, and to be confined at hard labor, at the post where his company may be serving, for the period of five (5) years, and at the expiration of that time to be dishonorably discharged the service of the United States.*"

5th. Private *John Karanagh*, Company "B," 17th Infantry.

CHARGE—"Desertion."

Specification.—"In this: that he, Private *John Karanagh*, Company 'B,' 17th Infantry, being a duly enlisted soldier in the service of the

United States, did desert the same at Cheyenne Agency, D. T., on or about the 3d day of April, 1872, and did remain absent therefrom until apprehended and brought back as a deserter, thirty dollars (\$30.00) reward being paid for his apprehension. This at Cheyenne Agency, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *John Karanagh*, Company "B," 17th Infantry, as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Karanagh*, Company "B," 17th Infantry, "*To forfeit all pay and allowances now due or to become due him, and to be confined at hard labor at the post where his company may be serving, for the period of three (3) years, and at the expiration of that time to be dishonorably discharged the service of the United States.*"

6th. Private *James Desmond*, Company "B," 17th Infantry.

CHARGE—"Desertion."

Specification.—"In this : that he, Private *James Desmond*, Company 'B,' 17th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Cheyenne Agency, D. T., on or about the 3d day of April, 1872, and did remain absent therefrom until apprehended and brought back as a deserter, thirty dollars (\$30.00) being paid for his apprehension. This at Cheyenne Agency, D. T., on or about the date above specified."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, finds the accused, Private *James Desmond*, Company "B," 17th Infantry, as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Desmond*, Company "B," 17th Infantry, "*To forfeit all pay and allowances now due or to become due him, and to be confined at hard labor, at the post where his company may be serving, for the period of three years, and at the expiration of that time to be dishonorably discharged the service of the United States.*"

II...The proceedings in the foregoing case of Captain *John H. Donovan*, 17th Infantry, having been submitted to the Major General Commanding, the following are his decisions and orders thereon.

To the second charge (disrespect towards his Commanding Officer, in violation of the 6th Article of War) the accused pleaded in bar of trial a want of specification, for the reason that under this charge the disrespectful language must appear to have been made use of in the presence of, and to the Commanding Officer—whereas, in this instance, the occasion was a social entertainment, the Commanding Officer not being present.

It is believed that the Court erred in sustaining this plea. The language of the 6th Article is, "Any officer or soldier who shall behave himself with contempt or disrespect towards his Commanding Officer, &c." It contains no qualifications as to manner, time or place, and is understood to cover all actions, and language spoken or written (not privileged), which publicly detract from the respect due to the authority and person of the Commanding Officer. By the plea of the accused in this case publicity is admitted, and by the specification the offense is alleged to have been committed at the trader's store—a place of public resort. Moreover, the tendency of the language was evidently to undermine the authority of, and the respect due to the Commanding Officer within his own command. So that there seems to

have been nothing wanting to bring this case within the provisions of the 6th Article.

So far as is known, all the authorities upon this article concur in the opinion that it covers a very wide ground, and is by no means restricted to official acts, or to language affecting the military reputation of the Commanding Officer. The plea that the offense cannot be committed except "to, and in the presence of, and in the hearing of the Commanding Officer," is one which is believed to be now for the first time allowed. (See O'Brien, 6th Article, and Hough's Precedents in Military Law.)

The action of the court with reference to this plea is therefore disapproved. With this exception, the proceedings are approved, and the findings and sentence confirmed. The sentence will be duly executed. Until further orders Captain *Donovan* will remain at the station of his company.

The proceedings, findings, and sentence in the foregoing case of Private *Jesse Blerans*, Company "F," 17th Infantry, are approved. The sentence is modified so that he will be dishonorably discharged at the commencement of his term of confinement. As thus modified, the sentence will be duly executed. The Minnesota State Prison, at Stillwater, Minnesota, is designated as the place of confinement.

The proceedings, findings, and acquittal in the foregoing case of Private *Thomas Lane*, Company "F," 17th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings and sentences in the foregoing cases of Privates *James White*, *John Karanagh*, and *James Desmond*, Company "B," 17th Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. R. Licher
Major Judge Advocate
112 a



G. C. M.

1. Private *William Huber*, Company "E," 20th Infantry.
 2. Private *Millard F. Taft*, Company "E," 20th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 13, 1872.

GENERAL ORDERS) No. 45.)

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 133, current series, from these headquarters, and of which Colonel GEORGE SYKES, 20th U. S. Infantry, is President, were arraigned and tried:—

1st. Private *William Huber*, Company "E," 20th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this: that he, Private *William Huber*, 'E' Company, 20th Infantry, having been duly mounted as a member of the post guard, and posted as a sentinel over the Government stables, was found sleeping on his post. This at Fort Snelling, Minn., between the hours of 9 and 10 P. M., on the 27th day of May, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused and finds him, Private *William Huber*, Company "E," 20th Infantry, as follows:

Of the *Specification*, "Guilty."
 Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Huber*, Company "E," 20th Infantry, "*To forfeit ten dollars of his pay per month for six (6) months, and to be confined at hard labor, in charge of the guard, for two months, ten days in each of which to be kept in solitary confinement, on bread and water.*"

2. Private *Millard F. Taft*, Company "E," 20th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this: that he, Private *Millard F. Taft*, Company 'E,' 20th Infantry, having been duly mounted as a member of the post guard, and posted as a sentinel over the Government stables, was found sleeping on his post. This at Fort Snelling, Minn., between the hours of 2 and 3, on the morning of the 1st of June, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."
 To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *Millard F. Taft*, Company "E," 20th Infantry, as follows:

Of the *Specification*, "Guilty."
 Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Millard F. Taft*, Company "E," 20th Infantry, "*To forfeit ten dollars of his pay per month for six (6) months, and to be confined at hard labor, in charge of the guard, for two (2) months, ten days in each of which to be kept in solitary confinement, on bread and water.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *William Huber* and *Millard F. Taft*, Company "E," 20th Infantry, are approved. Upon the recommendation of the members of the Court, the sentences are mitigated to confinement at hard labor in charge of the guard for two months, with forfeiture of ten dollars of their pay per month for the same period. As thus mitigated the sentences will be duly executed.

III...The General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 133, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th U. S. Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

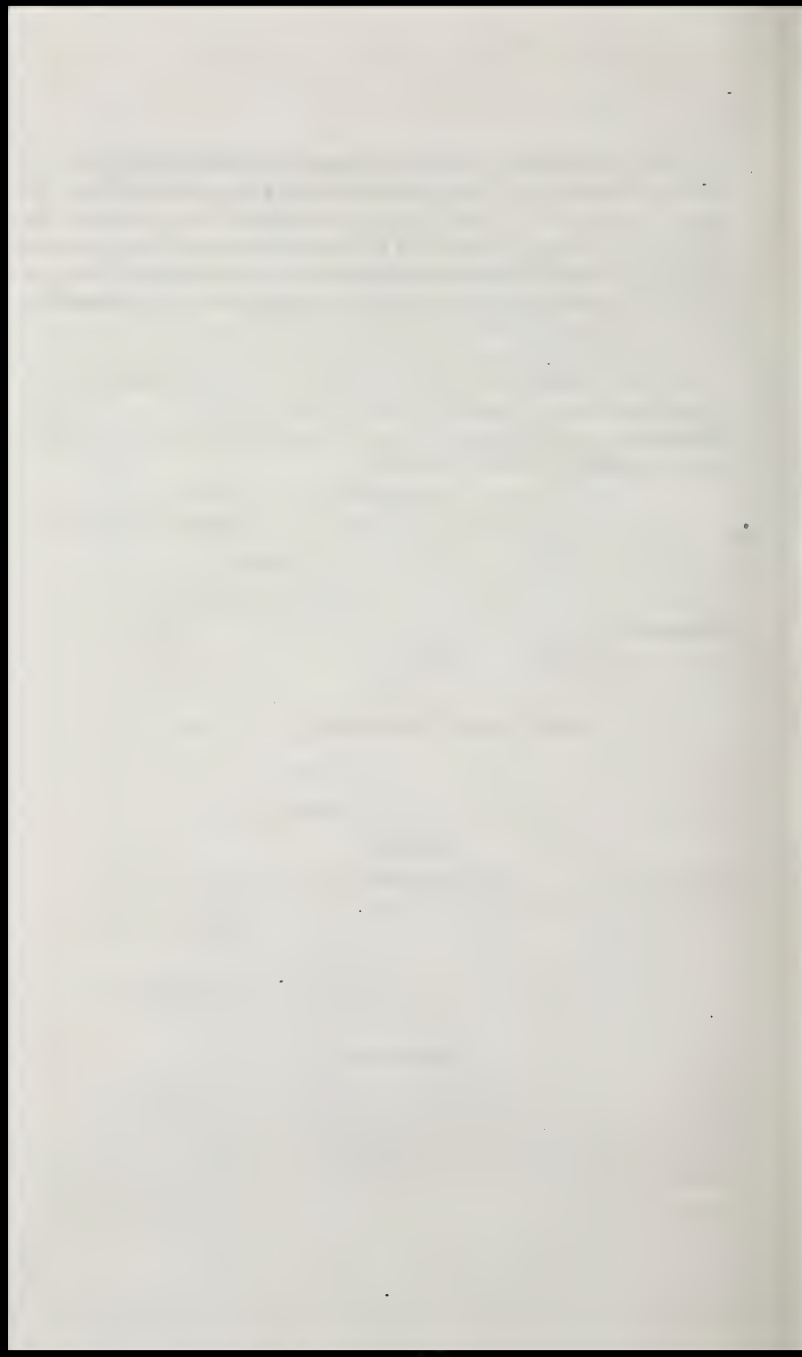
O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. A. Huber

Major Judge Advocate
(U.S.A.)



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 22, 1872.

GENERAL ORDERS }
No. 46. }

After the 31st inst. Fort Ransom, D. T., will cease to be regarded as a military post of this Department. All its stores, property, and material worth transportation will be removed to Fort Cross, D. T., as rapidly as transportation and storage can be provided—the removal to be effected under the direction of the Commanding Officer of the last named post. The detachment now garrisoning Fort Ransom is hereby placed under the orders of the Commanding Officer of Fort Cross, and will remain on its present duty until in his opinion its services are no longer required there, when he will report that fact to the Commanding Officer of Camp Sykes, D. T., who will at once issue the requisite orders for withdrawing it.

On the receipt of this order at Fort Ransom, all the post records and books will be carefully arranged, securely boxed, and turned over to the Quartermaster's Department for shipment to the Assistant Adjutant General at these headquarters.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. S. Lottrell Ward
2nd Lt 22nd Inf
A. S. G.



G. C. M.

Private *William James*, Company "E," 7th Infantry.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 26, 1872.

GENERAL ORDERS)
No. 47.)

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 39, current series, from these headquarters, and of which Colonel JOHN GIBBON, 7th Infantry, is President, was arraigned and tried:—

Private *William James*, Company "E," 7th Infantry.

CHARGE.—"Violation of the 45th Article."

Specification.—"In this: that he, Private *William James*, Company 'E,' 7th Infantry, did, while a member of the post guard, become so much under the influence of intoxicating liquor as to be unable to perform his duties properly. All this at Fort Benton, M. T., on or about the 16th day of March, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him, Private *William James*, Company "E," 7th Infantry, as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William James*, Company "E," 7th Infantry, "*To be confined at hard labor, under charge of the guard, for the period of six (6) months.*"

II...The proceedings, findings, and sentence in the foregoing case of Private *William James*, Company "E," 7th Infantry, are approved, and the sentence will be duly executed."

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. H. Lister
Major & Judge Advocate
U. S. Army

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., July 31, 1872.

GENERAL ORDERS }
No. 48. }

So much of General Orders No. 36, current series, from these headquarters, as is descriptive of the boundary lines of the Military Reservation of Fort McKeen, at the Northern Pacific Railroad crossing of the Missouri river, D. T., is hereby revoked, and the following substituted therefor, viz.:

"The initial point is a stake on the bank of the Missouri river, near the Northern Pacific Railroad crossing; the lines run thence due west one (1) mile and two hundred and fifty (250) feet to Beaver-dam creek, thence down Beaver-dam creek to its mouth, thence along the bank of the Missouri to the initial point.

There is also reserved a road two hundred and fifty (250) feet wide, the centre line of which commences at a point on the southern boundary marked by a stake, twenty-two hundred and ninety (2290) feet west of the initial point, and runs thence south thirty-five degrees twenty minutes ($35^{\circ} 20'$), east twenty hundred and eighty-one (2081) feet, thence south seventy-three degrees thirty minutes ($73^{\circ} 30'$), east six hundred and fifty-eight (658) feet, thence north seventy-eight degrees forty minutes ($78^{\circ} 40'$), east to bank of Missouri river. The Northern Pacific railroad is granted the right of way along the base of the bluffs, north of the crossing, or across the above mentioned road, should they require it."

The Commanding Officer will cause the initial point to be marked by a stone monument.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

John S. Martin,
Capt. 10th Regt. A. T. Co.

1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the problem and the objectives of the research.

2. The second part of the report is a detailed description of the methods used in the study. It includes a discussion of the experimental design, the data collection procedures, and the statistical analysis techniques.

3. The third part of the report is a presentation of the results of the study. It includes a discussion of the findings and their implications for the field of research.

4. The fourth part of the report is a conclusion and a list of references.

5. The fifth part of the report is a list of references.

6. The sixth part of the report is a list of references.

7. The seventh part of the report is a list of references.

8. The eighth part of the report is a list of references.

9. The ninth part of the report is a list of references.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 5, 1872.

GENERAL ORDERS)
No. 49.)

Accompanying this order is a copy of an outline map of Montana Territory, compiled for the use of officers of this command.

It is requested that if any officer discover errors or omissions in the map, he will mark them carefully, *in pencil*, on a copy, and send it to these headquarters, with a letter of transmittal giving his authority for the correction. A corrected copy will be returned to him.

When several officers at a post make corrections, it is desired that all the corrections be marked on the same copy.

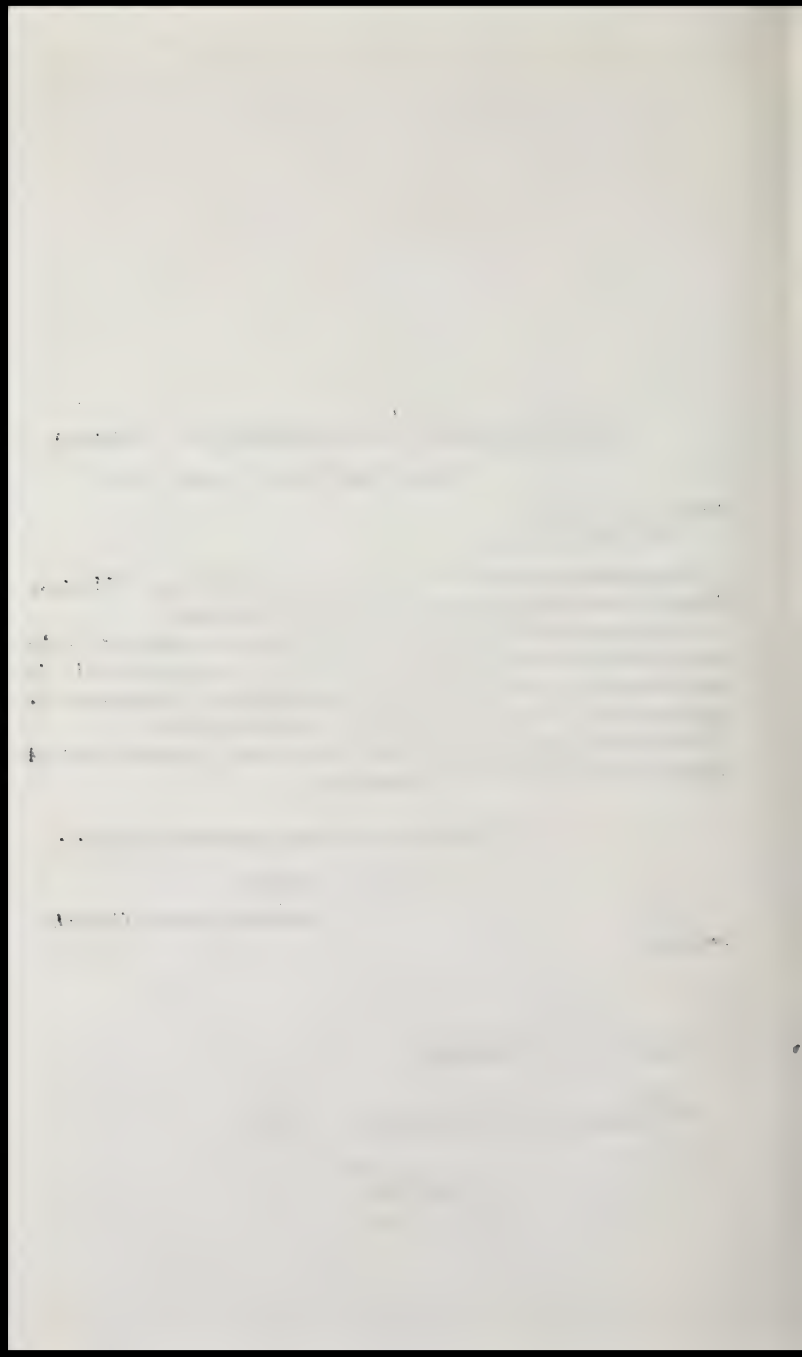
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. J. L. Ward
2nd. Lt. 2d. Inf.
A. H. B.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 8, 1872.

GENERAL ORDERS }
No. 50. }

An official decision of the Honorable Secretary of the Interior that the territory lying between the Red River of the North and the Missouri river is "Indian Country," having been communicated to these headquarters by the War Department, the attention of all officers of this command, serving in or adjacent to the region of country designated, is called to the Act of Congress approved June 30, 1834, Sec. 20, (page 503, Revised Army Regulations of 1863,) known to the service as the "Intercourse Law." Commanding Officers are hereby enjoined to cause a strict enforcement of the provisions of the Act quoted, within their respective jurisdictions. All instructions heretofore given on this subject conflicting with the provisions of this order are hereby rescinded.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 11, 1872.

GENERAL ORDERS }
No. 51. }

Captain *G. B. Dandy*, Assistant Quartermaster U. S. A., will immediately relieve Lieutenant Colonel *C. H. Tompkins*, Deputy Quartermaster General U. S. A., of his duties as Chief Quartermaster of this Department and as depot, purchasing and Post Quartermaster. The latter will transfer to Captain *Dandy* all funds, property, books, papers, records, plans, &c., which pertain to the duties of the several offices above mentioned, for which the usual receipts will be given.

After the transfer above directed has been duly made and completed, Lieutenant Colonel *Tompkins* will at once comply with such orders as he may have received from the War Department directing him to repair to Arizona.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

John C. Strickland
Capt. 10th Inf. U. S. A.

S. m. [1] Varro, *Antic. Rustic. Libr.* 1.1.10

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 12, 1872.

GENERAL ORDERS }
No. 52. }

In accordance with a recent opinion of the Judge Advocate General of the Army to the effect that "when a sentence provides for the dishonorable discharge of a soldier at the termination of his confinement, it is not within the province of the reviewing officer to order his immediate discharge," so much of General Orders Nos. 42 and 44, current series, from these headquarters, as modifies the sentences in the cases of Private *James Nesbitt*, Company "K," 22d Infantry, and *Jesse Blevins*, Company "F," 17th Infantry, by directing their discharge at the commencement of their terms of confinement, is hereby revoked. Their dishonorable discharge will accordingly take effect at the expiration of their respective terms of confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

John S. Harten,
Captain 19th Infantry, Aide-de-Camp.

THE UNIVERSITY OF CHICAGO

CHICAGO, ILL.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 13, 1872.

GENERAL ORDERS)
No. 53.)

The following endorsement of the Adjutant General of the Army, dated July 29, 1872, has been communicated from Division Headquarters and is promulgated for the information of all concerned, viz.:

"Applications for the transfer of enlisted men from one arm of the service to another cannot be favorably considered."

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

John D. Charlton,
Capt. 10 Drif. A. R. Co.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 16, 1872.

GENERAL ORDERS }
No. 54. }

In connection with Department General Orders No. 50, current series, it is announced that the 20th section of the Act of Congress, therein referred to, has been amended by Act of Congress approved March 15th, 1864. The amendatory act is hereby promulgated for the information and guidance of this command, viz.:

An Act to amend an Act entitled, "An Act to regulate trade and intercourse with Indian Tribes, and to preserve peace on the Frontiers. Approved June 30th, 1834."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the 20th Section of the "Act to regulate trade and intercourse with the Indian Tribes, and to preserve peace on the Frontiers," approved June 30th, 1834, be, and the same is hereby amended so as to read as follows, to wit:

"SECTION 20. And be it further enacted, that if any person shall sell, exchange, give, barter or dispose of any spirituous liquors or wine to any Indian under the charge of any Indian Superintendent or Indian Agent appointed by the United States, or shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, such person, on conviction thereof, before the proper district or circuit court of the United States, shall be imprisoned for a period not exceeding two years, and shall be fined not more than three hundred dollars: *Provided*, however, that it shall be a sufficient defence to any charge of introducing or attempting to introduce liquor into the Indian country if it be proved to be done by order of the War Department, or of any officer duly authorized thereunto by the War Department. And if any Superintendent of Indian Affairs, Indian Agent or Sub-Agent, or Commanding Officer of a Military Post, has reason to suspect or is informed that any white person or Indian is about to introduce or has introduced any spirituous liquor or wine into the Indian country in violation of the provisions of this section, it shall be lawful for such Superintendent, Agent, Sub-Agent, or Commanding Officer, to cause the boats, stores, packages, wagons, sleds, and places of deposit of such person to be searched; and if any such liquor is found therein, the same, together with the boats, teams, wagons, and sleds used in conveying the same, and also the goods, packages, and peltries of such person, shall be seized and

delivered to the proper officer, and shall be proceeded against, by libel in the proper court, and forfeited, one half to the informer, and the other half to the use of the United States; and if such person be a Trader, his license shall be revoked and his bond put in suit. And it shall moreover be the duty of any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except such as may be introduced therein by the War Department. And in all cases arising under this act Indians shall be competent witnesses."

Approved March 15th, 1864.

(*U. S. Statutes at Large*, Vol. 13, p. 29.)

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

A handwritten signature in cursive script, appearing to read "G. S. L. Ward".

1st Lieutenant 22d Infantry, Aide-de-Camp.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 22, 1872.

GENERAL ORDERS } No. 55. }

The list of Reports and Returns promulgated in General Orders No. 99, series of 1871, from these headquarters, as required from officers in this command doing duty in the Quartermaster's Department, is so modified as to require in future only the following, viz.:

MONTHLY.

(To be transmitted within ten days after the month to which they relate.)

Account Current.

Report of Persons and Articles hired, (to include the information heretofore contained in Report Form 8,) in accordance with General Orders No. 64, series of 1871, War Department, Adjutant General's Office, new Form 1.

Roll of enlisted men employed on extra duty.

Personal Report.

Abstract of Transportation orders.

Estimate of funds, three months in advance, separate for each month, one copy.

Copies of all orders affecting the Quartermaster's Department, issued at the post.

QUARTERLY.

(To be transmitted within twenty days after the quarter to which they relate.)

Consolidated report of all Government troops and stores transported, new Form 4.

Statement of Payments made on account of transportation.

Report of buildings in process of construction.

Quarterly Returns of Quartermaster's stores, new Form 27.

Quarterly Return of Clothing, Camp and Garrison Equipage.

Report of Horses, Mules, and Oxen. (This Report to be rendered without delay for the first and second quarters of the current year.)

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Wm. S. Hearl
Captain 19th Infantry, Aide-de-Camp.



G. C. M.

1. Private *Robert H. McLaughlin*, Company "B," 20th Infantry.
 2. Private *William Shields*, Company "B," 20th Infantry.
 3. Private *William Bernhard*, Company "D," 20th Infantry.
 4. Private *James Peck*, Company "D," 20th Infantry.
 5. Private *Charles W. Sofield*, Company "D," 20th Infantry.
 6. Private *James Kinsella*, Company "D," 20th Infantry.
 7. Corporal *Charles Henrix*, Company "C," 20th Infantry.
 8. Private *James Taylor*, Company "C," 20th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 28, 1872.

GENERAL ORDERS } No. 56. }

I...Before a General Court Martial which convened at Fort Cross, D. T., by virtue of Special Orders No. 146, current series, from these Headquarters, and of which Captain H. G. THOMAS, 20th Infantry, is President, were arraigned and tried:—

1st. Private *Robert H. McLaughlin*, Company "B," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Robert H. McLaughlin*, Company 'B,' 20th Infantry, a duly enlisted soldier in the U. S. Army, did desert the said service on the 30th day of June, 1872, and did remain absent until apprehended by a detail of enlisted men sent in search of him, on the 1st day of July, 1872. All this at or near new post, James river, D. T., on or about the dates above specified. Thirty (30) dollars reward paid for apprehension."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty, but 'Guilty of absence without leave.'"

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Guilty, except the word 'desert,' substituting therefor the words 'absent himself from.'"

Of the *CHARGE*, "Not Guilty, but 'Guilty of absence without leave.'"

SENTENCE.

And the Court does therefore sentence him, Private *Robert H. McLaughlin*, Company "B," 20th Infantry, "*To refund to the United States the thirty dollars paid for his apprehension, and to be confined at hard labor, in charge of the guard, for thirty days.*"

2d. Private *William Shields*, Company "B," 20th Infantry.

CHARGE.—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this: that he, Private *William Shields*, Company 'B,' 20th Infantry, having been duly detailed as a member of the post guard, did appear at guard mounting so drunk as to be unable to properly perform the duties of a soldier. This at Fort Cross, D. T., on or about the 12th day of July, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Shields*, Company "B," 20th Infantry, "*To forfeit ten dollars (\$10) of his monthly pay per month for four months.*"

3d. Private *William Bernhard*, Company "D," 20th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *William Bernhard*, Company 'D,' 20th Infantry, did, assisted by Artificer *Augustus Smith*, Company 'D,' 20th Infantry, feloniously take, steal, and carry away, with intent to appropriate to his own use, one (1) jar of butter, valued at about ten (10) dollars, the property of *Thurstane Petersen*, citizen. This at Fort Abercrombie, D. T., on or about March 26, 1872."

To which charge and specification the accused pleaded as follows :

To the Specification, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the Specification, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Bernhard*, Company "D," 22d Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month for three months, and to be confined at hard labor, in charge of the guard, for the same period.*"

4th. Private *James Peck*, Company "D," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this: that he, Private *James Peck*, Company 'D,' 20th Infantry, did enter the tent of 1st Sergeant Frederick Keye, Company 'D,' 20th Infantry, and demand permission to see the Company Commander, and upon being asked by the 1st Sergeant his reasons for wishing to see the Captain, did reply, 'It is none of your God damned business,' and upon being ordered by 1st Sergeant Frederick Keye, Company 'D,' 20th Infantry, (he at the time being in the execution of his office,) to go to the guard house, did resist and strike him with his clenched fist, and did use the following threatening and abusive language towards him, to wit: 'Keye, you dirty son-of-a-bitch, I'll kill you yet; you dirty son-of-a-bitch, Keye, I will kill you some of these days;' repeating these words several times. This at Camp Sykes, D. T., on or about June 17th, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Peck*, Company "D," 20th Infantry, "*To forfeit to the United States ten dollars of his monthly pay for one month, and to be confined at hard labor, in charge of the guard, for thirty (30) days.*"

5th. Private *Charles W. Sofield*, Company "D," 20th Infantry.

CHARGE—"Drunkenness on duty, in violation of the 45th Article of War."

Specification.—"In this: that he, Private *Charles W. Sofield*, Company 'D,' 20th Infantry, being on duty at Fort Abercrombie, D. T., in

charge of public ambulance en route to the new camp or post on James river, D. T., did become drunk, and neglect the care of his team, and did become unfit by said drunkenness to proceed on his journey as required to do by proper authority. This at Fort Abererombie, D. T., on or about July 2d, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

FINDING.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private Charles W. Sofield, Company "D," 20th Infantry, "*To forfeit to the United States ten dollars of his monthly pay per month for three months, and to be confined at hard labor, in charge of the guard, for the same period.*"

6th. Private James Kinsella, Company "D," 20th Infantry.

CHARGE.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private James Kinsella, Company 'D,' 20th Infantry, did feloniously take, steal, and carry away, and appropriate to his own use, one razor, of the value of two dollars or thereabouts, the property of Private Edward Kuhlthan, Company 'D,' 20th Infantry. All this at Camp Sykes, D. T., on or about July 4th, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Kinsella*, Company "D," 20th Infantry, "*To be confined at hard labor, in charge of the guard, for four months.*"

7th. Corporal *Charles Henrix*, Company "C," 20th Infantry.

CHARGE I.—"Violation of the 45th Article of War."

Specification.—"In this : that he, Corporal *Charles Henrix*, Company 'C,' 20th Infantry, having been duly detailed as a member of a camp guard, at Camp Sykes, D. T., did appear at the mounting of said guard, so drunk as to be incapable of performing his duty properly as a soldier. This at Camp Sykes, D. T., on or about August 18th, 1872."

CHARGE II.—"Breach of arrest, to the prejudice of good order and military discipline."

Specification.—"In this : that he, Corporal *Charles Henrix*, Company 'C,' 20th Infantry, having been duly placed in arrest at Camp Sykes, D. T., by order of his Commanding Officer, Captain H. G. Thomas, 20th Infantry, did break said arrest, and proceed to and remain in the town of Jamestown, D. T., until arrested and brought back to camp by Corporal Franz Groll, Company 'C,' 20th Infantry, who was sent out for that purpose. This at Camp Sykes, D. T., on or about August 18th, 1872."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

CHARGE I.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Corporal *Charles Henrix*, Company "C," 20th Infantry, "*To be reduced to the ranks, and to forfeit to the United States ten dollars of his monthly pay per month for four months.*"

8th. Private *James Taylor*, Company "C," 20th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this: that he, Private *James Taylor*, Company 'C,' 20th Infantry, having been duly mounted as a member of the camp guard, did become so drunk as to be unable to properly perform his duty. All this at Camp Sykes, D. T., on or about August 10th, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Taylor*, Company "C," 20th Infantry, "To forfeit to the United States ten dollars of his monthly pay per month for four months."

II...The proceedings, findings, and sentence in the case of Private *Robert H. McLaughlin*, Company "B," 20th Infantry, are approved. Upon the recommendation of the members of the Court so much of the sentence as relates to his confinement at hard labor is remitted. The remainder of the sentence will be duly executed. He will be released from confinement and restored to duty.

In the case of Private *William Shields*, Company "B," 20th Infantry, the proceedings, findings, and sentence are approved, and the sentence will be duly executed. The prisoner will be released from confinement and restored to duty.

In the case of Private *William Bernhard*, Company "D," 20th Infantry, the proceedings are approved. The findings and sentence are disapproved, on account of the inconclusiveness of the evidence. Private *Bernhard* will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the case of Private *James Peck*, Company "D," 20th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings, and sentence in the case of Private *Charles W. Soffield*, Company "D," 20th Infantry, are approved, but, upon the recommendation of the members of the Court, and in consideration of his previous good character, the sentence is remitted. The prisoner will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the case of Private *James Kinsella*, Company "D," 20th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings, and sentences in the cases of Corporal *Charles Henrix*, and Private *James Taylor*, Company "C," 20th Infantry,

are disapproved, the records showing that but four members were present at the trials. The prisoners will be released from confinement and restored to duty.

III...The General Court Martial which convened at Fort Cross, D. T., by virtue of Special Orders No. 146, current series, from these Headquarters, and of which Captain H. G. THOMAS, 20th Infantry, is President, is hereby dissolved.

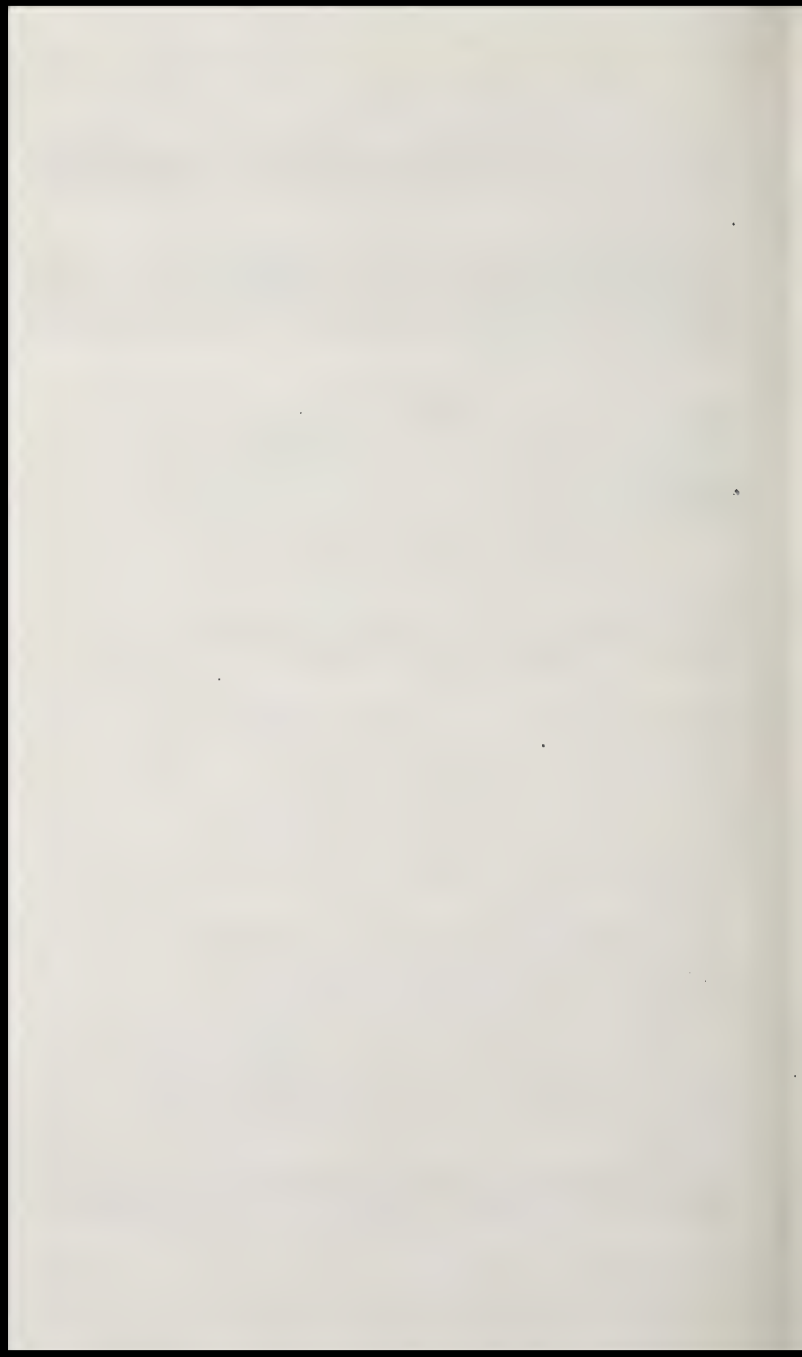
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. H. Fisher
Major Judge Advocate
U.S. Army.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 29, 1872.

GENERAL ORDERS)
No. 57.)

I...Lieutenant Colonel *H. C. Ransom*, Deputy Quartermaster General, U. S. A., having reported at these headquarters in compliance with Department Special Orders No. 151, current series, is hereby announced as Chief Quartermaster of the Department in accordance with paragraph III, Special Orders No. 167, current series, War Department, Adjutant General's Office, and will, on the 31st instant, relieve Captain *G. B. Dandy*, Assistant Quartermaster, U. S. A., in his duties as Acting Chief Quartermaster, Depot, Purchasing, and Post Quartermaster. The latter will transfer all funds, property, books, papers, records, plans, &c., which pertain to the duties of the several offices mentioned, for which the usual receipts will be given.

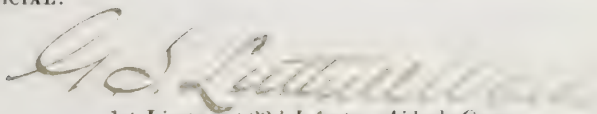
II...After the transfer above directed has been duly made and completed, Captain *G. B. Dandy*, Assistant Quartermaster, U. S. A., will rejoin his proper station, Fort Abercrombie, D. T., and resume his duties at that post.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:


1st Lieutenant 22d Infantry, Aide-de-Camp.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., August 31, 1872.

GENERAL ORDERS)

No. 58.)

The Government of the United States having duly authorized the passage across the north-eastern portion of this Military Department of a detachment of Royal Engineers, British Army, to be employed on the International Boundary Survey, the fact of such authorization is hereby promulgated for the information of all concerned. In its passage across the above designated portion of the territory of the United States, the detachment will not be molested, and it is enjoined upon such of the United States military authorities as the detachment may come in contact or communicate with, to afford it all requisite and proper facilities for speedily reaching its destination.

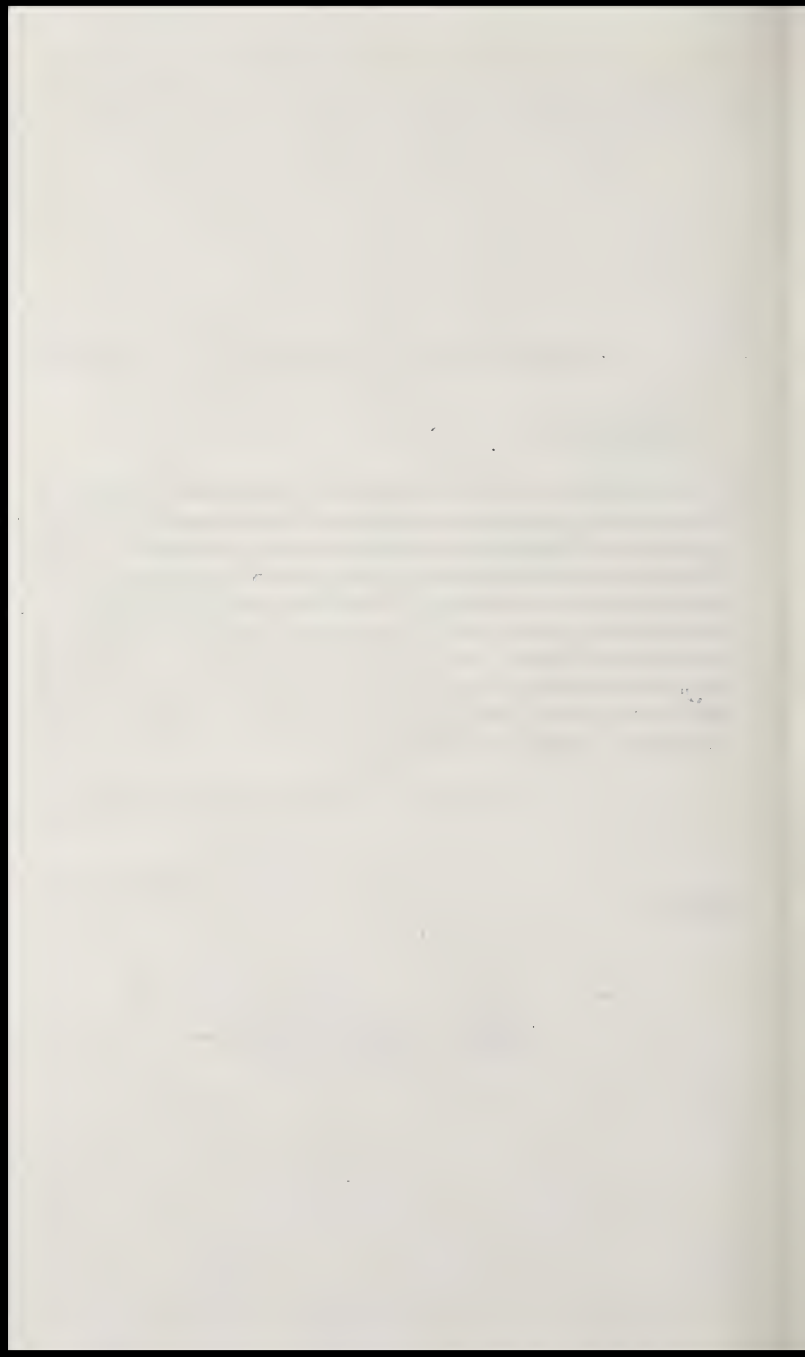
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

Saml. S. Johnston
Captain 19th Infantry, Aide-de-Camp.



G. C. M.

1. Private *John Thompson*, Company "B," 7th Infantry.
 2. Private *William H. Sanders*, Company "E," 7th Infantry.
 3. Private *William Wander*, Company "E," 7th Infantry.
 4. Private *Albert Smith*, Company "D," 7th Infantry.
 5. Private *William F. Langdon*, Company "D," 7th Infantry.
 6. Private *George Feunimore*, Company "D," 7th Infantry.
 7. Corporal *Ezra Shanks*, Company "F," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 11, 1872.

GENERAL ORDERS }
No. 59. }

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 155, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:—

1st. Private *John Thompson*, Company "B," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In that he, Private *John Thompson*, Company 'B,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert said service and did remain absent until apprehended in the vicinity of Fort Shaw, M. T., July 4th, 1872. All this at Fort Benton, M. T., on or about the 2d day of July, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Thompson*, Company "B," 7th Infantry, "*To forfeit all pay and allowances that are now due or may become due ; to be dishonorably discharged from the military service of the United States ; and then to be confined in charge of the guard until August 11th, 1876, the balance of his term of enlistment, with a ball weighing twenty-four pounds attached to his left leg by a chain three feet long.*"

2d. Private *William H. Sanders*, Company "E," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification.—"In this : that he, Private *William H. Sanders*, Company 'E,' 7th Infantry, did offer violence against, and strike in the face with his fist, 1st Sergeant Samuel Bellew, Company 'E,' 7th Infantry, when he, the same 1st sergeant, was in the proper discharge of his duty. All this at Fort Shaw, M. T., on or about the 5th day of July, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William H. Sanders*, Company "E," 7th Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for the period of three months.*"

3d. Private *William Wander*, Company "E," 7th Infantry.

CHARGE—"Desertion."

Specification.—"In this: that he, *William Wander*, an enlisted soldier in the service of the United States, private of Company 'E,' 7th Infantry, United States Army, did desert the said service from Fort Shaw, M. T., on or about the 24th day of June, 1872, and did remain absent from said service until apprehended at or near 'Bird Tail' ranche, M. T., on or about the 25th day of June, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William Wander*, Company "E," 7th Infantry, "*To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged from the military service of the United States; and then to be confined in charge of the guard until May 26th, 1875, the balance of his term of enlistment, with a ball weighing twenty-four pounds attached to his left leg by a chain three feet long.*"

4th. Private *Albert Smith*, Company "D," 7th Infantry.

CHARGE—"Desertion."

Specification I.—"In this: that he, Private *Albert Smith*, Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service at Fort Buford, D. T., on or about the fifth day of August, 1870, and did remain absent therefrom until he was apprehended at Sioux City, Iowa, on or

about the 27th day of September, 1870. This at Fort Buford, D. T., on or about the 5th day of August, 1870."

Specification II.—"In this: that he, Private *Albert Smith*, of Company 'D,' 7th U. S. Infantry, being at the time in confinement in the guard-house at Fort Buford, D. T., awaiting trial for desertion, did, on or about the 4th day of July, 1871, escape from said confinement, and remain absent until he was apprehended at Platte creek, Dakota Territory, and brought back under guard to Fort Buford, D. T., on or about the 1st day of June, 1872. This at Fort Buford, D. T., on the dates above specified."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty, except the words 'at Sioux City, Iowa.'"

Of the 2d *Specification*, "Guilty, except the words 'at Platte creek, Dakota Territory.'"

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Albert Smith*, Company "D," 7th Infantry, "To forfeit all pay and allowances now due or that may become due; to be dishonorably discharged from the United States military service; and then to be confined at hard labor, in charge of the guard, until July 1st, 1876, with a ball weighing 24 pounds attached to his left leg by a chain three feet long."

5th. Private *William F. Langdon*, Company "D," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, *William F. Langdon*, a private of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier

in the service of the United States, did desert said service on or about the eighth day of May, 1872, and did remain absent until apprehended at about twelve miles from Fort Buford, D. T., on or about the 9th day of May, 1872. This at or near Fort Buford, D. T., on the dates above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, *William F. Langdon*, a private of Company 'D,' 7th U. S. Infantry, did take, steal, carry away, and appropriate to his own use, the following ordnance and ordnance stores, the property of the United States, and for which Captain Richard Comba, 7th U. S. Infantry, is responsible, viz.: one (1) Springfield breech-loading rifle, cal. 50, one (1) set of equipments, Infantry, forty (40) metallic cartridges, one (1) knapsack, one (1) canteen and straps, and one (1) haversack. This at Fort Buford, D. T., on or about the eighth day of May, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty, except the words 'one (1) knapsack, one (1) canteen and straps,' and to these excepted words, Not Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty, except the words 'one (1) knapsack, one (1) canteen and straps,' and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William F. Langdon*, Company "D," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, to be dishonorably discharged from the military service of the United States, and then to be confined at hard labor until the first day of July, 1876, in such penitentiary as the Commanding General of the Department may direct.*"

6th. Private *George Fennimore*, Company "D," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, *George Fennimore*, a private of Company 'D,' 7th U. S. Infantry, being a duly enlisted soldier in the service of the United States, did desert said service on or about the eighth day of May, 1872, and did remain absent until apprehended at about 12 miles from Fort Buford, D. T., on or about the ninth day of May, 1872. This at or near Fort Buford, D. T., on or about the dates above specified.

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, *George Fennimore*, a private of Company 'D,' 7th U. S. Infantry, did take, steal, and carry away, and appropriate to his own use, the following ordnance and ordnance stores, the property of the United States, and for which Captain *Richard Comba*, 7th U. S. Infantry, is responsible, viz.: one (1) Springfield breech-loading rifle, cal. 50, one (1) set of equipments, Infantry, forty (40) metallic cartridges, one (1) knapsack, one (1) haversack, and one (1) canteen and straps. This at Fort Buford, D. T., on or about the eighth day of May, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows :

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, *Private George Fennimore*, Company "D," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due, to be dishonorably discharged from the military service of the United States, and then to be confined at hard labor until the first day of July, 1876, in such penitentiary as the Commanding General of the Department may direct.*"

7th. Corporal *Ezra Shanks*, Company "F," 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Corporal *Ezra Shanks*, of Company 'F,' 7th Infantry, being on duty as Corporal of the Guard, and having charge of the prisoners in the guard-house, did permit Private *Israel Wells*, of Company 'D,' 7th Infantry, one of said prisoners, to escape from confinement. This at Fort Buford, D. T., on or about the 12th day of May, 1872, between the hours of ten and twelve o'clock at night."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Not Guilty."

Of the *CHARGE*, "Not Guilty."

And the Court does therefore "*acquit him*," Corporal *Ezra Shanks*, Company "F," 7th Infantry.

II...The proceedings, findings, and sentences in the foregoing cases of Privates *John Thompson*, Company "B," *William Wander*, Company "E," and *Albert Smith*, Company "D," 7th Infantry, are approved. The sentences are modified so that their dishonorable discharge will take effect at the expiration of their terms of confinement. As thus modified the sentences will be duly executed.

The proceedings, findings, and sentence in the case of Private *William H. Sanders*, Company "E," 7th Infantry, are approved, and the sentence will be duly executed. He will be released from confinement and restored to duty.

The proceedings, findings, and sentences in the cases of Privates *William F. Langdon* and *George Fennimore*, Company "D," 7th Infantry, are approved, and the sentences will be duly executed. The Minnesota State prison at Stillwater, Minnesota, is designated as the place of confinement.

The proceedings, findings, and acquittal in the case of Corporal *Ezra Shanks*, Company "F," 7th Infantry, are approved. He will be restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

G. R. Lister

Major and Judge Advocate
U.S.A.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 13, 1872.

GENERAL ORDERS }
No. 60. }

I...So much of General Orders No. 48, current series, from these headquarters, as is descriptive of the boundary lines of the Military Reservation of Fort McKeen, at the Northern Pacific Railroad crossing of the Missouri river, D. T., is hereby revoked, and the following substituted therefor, viz.:

"The initial point is a stake on the bank of the Missouri river near the Northern Pacific Railroad crossing; the lines run thence due west one (1) mile and eleven hundred and twenty-three (1123) feet to Beaver Dam creek, thence down Beaver Dam creek to its mouth, thence along the bank of the Missouri river to the initial point."

There is also reserved a road two hundred and fifty (250) feet wide, the centre line of which commences at a point on the southern boundary marked by a stake, twenty-two hundred and ninety (2290) feet west of the initial point, and runs thence S. 30° 20' E. three hundred and forty-two (342) feet, thence S. 23° 18' E. ten hundred and fifty-six (1056) feet, thence S. 68° 41' E. eleven hundred and two (1102) feet, thence S. 80° 39' E. nine hundred and thirteen (913) feet, thence N. 65° 11' E. four hundred and seventy-two (472) feet to the bank of the Missouri river.

The land included between this road, the southern boundary of the Reservation and the bank of the Missouri river is also reserved.

The Northern Pacific Railroad is granted the right of way along the base of the bluffs either north or south of their crossing, should they require it.

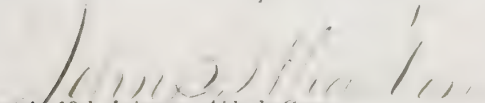
II...Sibley Island, situated in the Missouri river, about four miles below the post, is also reserved as a part of this Reservation for the purposes of lumber and fuel.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:


Captain 19th Infantry, Aide-de-Camp.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES

PHYSICS DEPARTMENT

RECEIVED
JAN 10 1964
FROM THE PHYSICS DEPARTMENT
OF THE UNIVERSITY OF CHICAGO
TO THE PHYSICS DEPARTMENT
OF THE UNIVERSITY OF CALIFORNIA
AT BERKELEY
RE: [illegible]

Enclosed for your information are two copies of a letter from the University of Chicago to the University of California at Berkeley, dated January 10, 1964.

The letter is a response to a letter from the University of California at Berkeley dated January 8, 1964, and contains information regarding the status of the [illegible] project.

The letter is a response to a letter from the University of California at Berkeley dated January 8, 1964, and contains information regarding the status of the [illegible] project.

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The letter is a response to a letter from the University of California at Berkeley dated January 8, 1964, and contains information regarding the status of the [illegible] project.

G. C. M.

1. Private *John Talling*, Company "K," 20th Infantry.
 2. Private *Robert S. McMurray*, Company "G," 20th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 21, 1872.

GENERAL ORDERS }
No. 61. }

I...Before a General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 178, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, were arraigned and tried :

1st. Private *John Talling*, Company "K," 20th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that Private *John Talling*, Company 'K,' 20th Infantry, while undergoing sentence of General Court Martial, did escape from the guard at Fort Snelling, Minn., on or about the 26th of August, 1872, and did remain absent until apprehended at Saint Paul, Minn., on the 27th August, 1872."

Specification II.—"In this: that Private *John Talling*, Company 'K,' 20th Infantry, did, without provocation, violently assault, or assist in violently assaulting, striking down, and wounding Private Joseph Mason, of Company 'E,' 20th Infantry, the sentinel placed over him. This at Fort Snelling, Minn., on or about the 26th August, 1872, with the intention of effecting his escape from military custody."

To which charge and specifications the accused pleaded as follows :

To the 1st *Specification*, " Guilty."

To the 2d *Specification*, " Not Guilty."

To the CHARGE, " Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the 1st *Specification*, " Guilty."

Of the 2d *Specification*, " Guilty."

Of the CHARGE, " Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Tailing*, Company " K," 20th Infantry, "*To be dishonorably discharged and drummed out of the service ; to forfeit all pay and allowances that are or may become due him ; and to be kept at hard labor, wearing a ball and chain weighing twelve pounds, for three years ; at such military prison as the Department Commander may direct.*"

2d. Private *Robert S. McMurray*, Company " G," 20th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, Private *Robert S. McMurray*, Company ' G,' 20th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Fort Ripley, Minn., on or about the 28th day of March, 1872, and did remain absent until apprehended at or near Brainerd, Minn., on or about the 29th day of March, 1872, thirty dollars (\$30.00) reward paid for his apprehension. All this at or near and on or about the places and dates above specified."

To which charge and specification the accused pleaded as follows :

To the *Specification*, " Not Guilty."

To the CHARGE, " Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Not Guilty."

Of the *CHARGE*, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Robert S. McMurray*, Company "G," 20th Infantry.

II...The proceedings, findings, and sentence in the foregoing case of Private *John Talling*, Company "K," 20th Infantry, are approved, and the sentence will be duly executed. Fort Snelling, Minn., is designated as the place of confinement.

The proceedings, findings, and acquittal in the foregoing case of Private *Robert S. McMurray*, Company "G," 20th Infantry, are approved. He will be released from confinement and restored to duty with his company.

III...The General Court Martial which convened at Fort Snelling, Minn., by virtue of Special Orders No. 178, current series, from these Headquarters, and of which Colonel GEORGE SYKES, 20th Infantry, is President, is hereby dissolved.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL :

G. H. Lister

Mazie and Lady Adornah
Wja



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 26, 1872.

(GENERAL ORDERS)
No. 62.)

Estimates for repairs of barracks and quarters at military posts now require the approval of the Honorable Secretary of War, as well as estimates for new buildings. Estimates for hospitals and repairs to hospitals must be made separately, and have the approval of the Medical Officer of the post. (See General Orders No. 74, series of 1872, War Department, Adjutant General's Office.)

At each post where new buildings or repairs are required for the ensuing year, plans and estimates for the same will be forwarded, and should be transmitted not later than November 10th, in order that they may be included in the annual estimates from these headquarters. The estimates should be in detail as far as practicable, giving cost of materials, item by item; labor, (when not of troops,) should be a separate item. When material can be obtained in the vicinity of the post it should be so reported, and the cost should be stated.

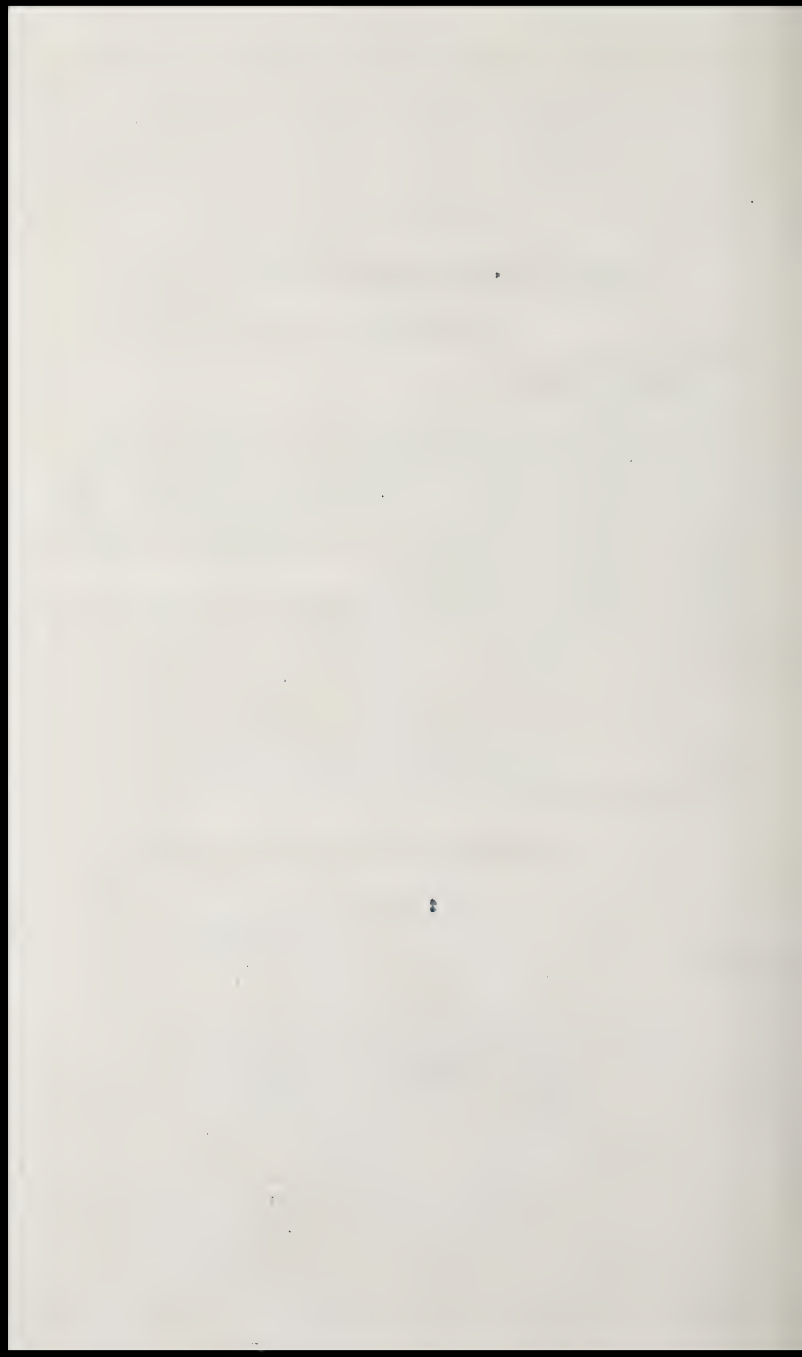
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:


Captain 19th Infantry, Aide-de-Camp.



G. C. M.

1. Private *Jacob Moore*, Company "D," 7th Infantry.
 2. Private *Max Kobacker*, Company "D," 7th Infantry.
 3. Private *John Mulcahy*, Company "I," 7th Infantry.
 4. Private *Charles Bernard*, Company "D," 7th Infantry.
 5. Private *Frederick J. Price*, Company "F," 7th Infantry.
 6. Private *George Hall*, Company "D," 16th Infantry.
 7. Sergeant *Alexander Brandt*, Company "D," 7th Infantry.
 8. Hospital Steward *George Verey*, U. S. Army.
 9. Sergeant *Francis O'Rielly*, Company "D," 7th Infantry.
 10. Private *John Ferris*, Company "B," 7th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., September 27, 1872.

GENERAL ORDERS } No. 63.

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 155, current series, from these headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:—

1st. Private *Jacob Moore*, Company "D," 7th Infantry.

CHARGE.—"Forgery, to the prejudice of good order and military discipline."

Specification.—"In this: that he, *Jacob Moore*, a private of Company 'D,' 7th U. S. Infantry, did write an imitation of the signature of R. Comba, Captain 7th U. S. Infantry, upon an order for liquor, which order for liquor was in words and figures following, to wit:

'FORT SHAW, M. T.,

'July 21st, 1872.

'Sell bearer one bottle of bitters.

'R. COMBA,

'Captain 7th Infantry.

'Approved :

'Lieut. Col. 7th U. S. Infantry.'

With intent to have the same passed at the store of the 'post trader' as the genuine signature of Captain R. Comba, 7th U. S. Infantry. This at Fort Shaw, M. T., on or about the 21st day of July, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Jacob Moore*, Company "D," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged the service of the United States; and to be confined for two years in such penitentiary as the Commanding General may direct.*"

2d. Private *Max Kobacker*, Company "D," 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In that he, Private *Max Kobacker*, Company 'D,' 7th Infantry, being a member of the guard, and having been placed in charge of certain prisoners, did allow one *David Lyman*, a prisoner, to escape, thereby neglecting his duty as a sentinel. This at or near Fort Shaw, M. T., on or about July 25, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Max Kobacker*, Company "D," 7th Infantry.

3d. Private *John Mulcahy*, Company "I," 7th Infantry.

CHARGE.—"Violation of the 45th Article of War."

Specification.—"In this: that he, Private *John Mulcahy*, of Company 'I,' 7th Infantry, being a member of the post guard, did become so much under the influence of intoxicating liquor as to be unable to perform any of the duties of a soldier. This at Fort Buford, D. T., on or about the 17th of March, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Mulcahy*, Company "I," 7th Infantry, "*To be confined at hard labor, in charge of the guard where his company may be serving, for the period of eight months.*"

4th. Private *Charles Bernard*, Company "D," 7th Infantry.

CHARGE.—"Neglect of duty."

Specification.—"In this: that he, *Charles Bernard*, a private of Company 'D,' 7th U. S. Infantry, being a member of the post guard at Fort Shaw, M. T., and being regularly posted as a sentinel over three general prisoners, with orders to guard them and keep them at work at the post saw mill, did permit one of said prisoners, Private Brown, of Company 'K,' 7th Infantry, to make his escape. This at Fort Shaw, M. T., on the 27th day of July, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the word 'permit,' and of the excepted word, Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Charles Bernard*, Company "D," 7th Infantry.

5th. Private *Frederick J. Price*, Company "F," 7th Infantry.

CHARGE.—"Neglect of duty, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Frederick J. Price*, of Company 'F,' 7th Infantry, having been placed as a sentinel over three prisoners at work, did permit one of said prisoners, Private Joseph Kleinman, a deserter from Company 'D,' 7th Infantry, to escape. This at Fort Shaw, M. T., on or about the 24th day of July, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."
 To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."
 Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frederick J. Price*, Company "F," 7th Infantry, "*To be confined at hard labor in charge of the guard for the period of three months, and to forfeit to the United States ten dollars of his monthly pay per month for the same period.*"

6th. Private *George Hall*, Company "D," 16th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, the said Private *George Hall*, of Company 'D,' 16th Infantry, having been duly enlisted in the service of the United States, did desert the same. This at Nashville, Tenn., on or about the 12th day of May, 1871."

CHARGE II.—"Violation of the 22d Article of War."

Specification.—"In this: that he, the said *George Hall*, having been duly enlisted as a soldier in the service of the United States, and having been assigned for service, pursuant to said enlistment, to Company 'D,' of the 16th U. S. Infantry, did, without a regular discharge from said regiment, enlist himself in the 7th Regiment of U. S. Infantry. This at Keokuk, Iowa, on or about the 7th day of July, 1871."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."
 To the *CHARGE*, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."
 To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows :

CHARGE I.

Of the *Specification*, "Guilty."
Of the *CHARGE*, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."
Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *George Hall*, Company "D," 16th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due; to be dishonorably discharged from the military service of the United States; and then to be confined at hard labor, in charge of the guard, with a ball weighing 24 pounds attached to his left leg by a chain 3 feet long, until July 1st, 1877.*"

7th. Sergeant *Alexander Brandt*, Company "D," 7th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that he, Sergeant *Alexander Brandt*, Company 'D,' 7th Infantry, did carry intoxicating liquors to prisoners of this command, with the intention of allowing them to get intoxicated, knowing the same to be grossly against orders. This at Fort Benton, M. T., on or about the 13th day of June, 1872."

Specification II.—"In this: that he, Sergeant *Alexander Brandt*, Company 'D,' 7th Infantry, did invite a prisoner or prisoners to his tent to drink liquor, and the prisoner or prisoners, being refused permission to go, he, the said Sergeant *Alexander Brandt*, Company 'D,' 7th Infantry, did place liquor within reach of the said prisoner or prisoners, and with the intention that they should obtain and use it. This at Fort Benton, M. T., on or about the 15th day of June, 1872."

To which charge and specifications the accused pleaded as follows :

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the 1st *Specification*, "Not Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Alexander Brandt*, Company "D," 7th Infantry, "*To be reduced to the rank of a private soldier, and to forfeit to the United States the sum of five dollars (\$5.00) per month of his monthly pay for the period of six months.*"

8th. Hospital Steward *George Verey*, U. S. Army.

CHARGE I.—"Absence without leave."

Specification.—"In that Hospital Steward *George Verey*, U. S. Army, did absent himself from his post from 8 A. M. till about 3 P. M., without permission from proper authority, on the 30th day of July, 1872. This at Fort Benton, M. T."

CHARGE II.—"Violation of the 45th Article of War."

Specification I.—"In that Hospital Steward *George Verey*, U. S. Army, was so much under the influence of intoxicating liquor on the evening of July 28th, 1872, as to be untrustworthy, and incapable of performing properly the duties of his office, albeit there were cases in hospital, at that time, of grave character, and demanding unusual care and attention. This at Fort Benton, M. T."

Specification II.—"In that Hospital Steward *George Verey*, U. S. Army, whilst on duty as Hospital Steward at Fort Benton, M. T., was so much under the influence of intoxicating liquor as to be incapable of performing properly the duties of his office. This at Fort Benton, M. T., July 29, 1872."

Specification III.—"In that Hospital Steward *George Verey*, U. S. Army, whilst on duty as Hospital Steward at Fort Benton, M. T., was so much under the influence of intoxicating liquor as to be incapable of performing properly the duties of his office. This at Fort Benton, M. T., July 30, 1872."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Hospital Steward *George Verey*, U. S. Army, "*To be dishonorably discharged from the military service of the United States.*"

9th. Sergeant *Francis O'Rielly*, Company "D," 7th Infantry.

CHARGE.—"Violation of the 99th Article of War."

Specification I.—"In that Sergeant *Francis O'Rielly*, Company 'D,' 7th Infantry, having been detailed in Special Orders No. 102, headquarters Fort Shaw, M. T., July 19th, 1872, with one private 7th Infantry, to take charge of and conduct convict James Keyes to Stillwater Penitentiary, Minnesota, did, on his arrival at Fort Benton, M. T., on the 21st day of July, 1872, become so much under the influence of intoxicating liquor as to be incapable of performing the duty assigned him in said order."

Specification II.—"In that Sergeant *Francis O'Rielly*, Company 'D,' 7th Infantry, having been placed in arrest on the 23d day of July, 1872, by Captain T. S. Kirtland, 7th Infantry, commanding Fort Benton, M. T., did go to the town of Benton, and did there become drunk, and was so found, lying in a public street thereof. This on the 24th day of July, 1872."

Specification III.—"In that Sergeant *Francis O'Rielly*, Company 'D,' 7th Infantry, having received of Captain J. M. J. Sanno, 7th Infantry, for commutation of rations, the sum of thirty-three dollars and seventy-five cents, (\$33.75) more or less, to be used in subsisting himself and party while detached from his post by Special Orders No. 102, headquarters Fort Shaw, M. T., July 19, 1872, upon being relieved from said duty did fail properly to account for the same, or for any part of said money. This at Fort Benton, M. T., July 24, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Guilty."

To the 3d *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant *Francis O' Rielly*, Company "D," 7th Infantry, "*To be reduced to the rank of a private soldier; to refund to the United States the sum of thirty-three dollars and seventy-five cents, received by him for subsistence; to forfeit to the United States in addition to the foregoing the sum of ten dollars per month for three months; and to be confined at hard labor, in charge of the guard, for the same period.*"

10th. Private *John Ferris*, Company "B," 7th Infantry.

CHARGE I.—"Conduct to the prejudice of good order and military discipline."

Specification I.—"In this: that he, Private *John Ferris*, Company 'B,' 7th Infantry, having given the following pledge to 1st Lieutenant *James H. Bradley*, 7th Infantry, viz.:

'I pledge myself to abstain from intoxicating liquors in all its shapes, unless under the direction of the physician attending, and for medicinal purposes. This pledge to be considered inviolable by me until the expiration of my term of service, to wit: October 14th, 1874. This is of my own will, free and uninfluenced.'

Did repeatedly violate said pledge, and did become so much under the influence of intoxicating liquor on the 11th day of July, 1872, as to be incapable of performing his duty as bugler. This at Fort Benton, M. T."

Specification II.—"In this: that he, Private *John Ferris*, Company 'B,' 7th Infantry, did threaten the life of Sergeant *Michael Sauls*, Company 'B,' 7th Infantry, in the following words: 'I will kill Sergeant *Sauls* inside of one month, or in six months sure,' or words to that effect. This at Fort Benton, M. T., on the morning of July 12th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows :

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Ferris*, Company "B," 7th Infantry, "*To be confined at hard labor, in charge of the guard, for the period of three months ; and to forfeit to the United States the sum of ten dollars per month from his monthly pay for the same period.*"

II...The proceedings, findings, and sentence in the case of Private *Jacob Moore*, Company "D," 7th Infantry, are approved, but upon the recommendation of a majority of the members of the Court, the sentence, except so much thereof as relates to the forfeiture of pay and allowances now due, is remitted. The proper stoppage will accordingly be made. Private *Moore* will be released from confinement and restored to duty.

The proceedings, findings, and acquittal in the case of Private *Max Kobacker*, Company "D," 7th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the case of Private *John Mulcahy*, Company "I," 7th Infantry, are disapproved. The accused asked for a continuance of the trial until the return of the Yellowstone expedition, certain material witnesses for the defence by whom it was proposed to rebut the evidence for the prosecution being absent with that expedition, but afterwards withdrew the motion under the apparent mis-apprehension that, if convicted, his punishment would necessarily be of a corporal character. This is no longer the case, and in justice to the accused the continuance should have been granted. He will be released from confinement and restored to duty.

The proceedings, findings, and acquittal in the case of Private *Charles Bernard*, Company "D," 7th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the case of Private *Fredrick J. Price*, Company "F," 7th Infantry, are disapproved. By the evidence for the prosecution this man's innocence of the criminal charge is presented in even a stronger light than in other similar cases tried by this Court which resulted in acquittals, and it is not apparent upon what ground a discrimination can be made between them. He will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the case of Private *George Hall*, Company "D," 16th Infantry, are approved. The sentence is modified so that his dishonorable discharge will take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed.

In the cases of Hospital Steward *George Verey*, U. S. Army, Sergeant *Francis O'Rielly*, Company "D," and Private *John Ferris*, Company "B," 7th Infantry, the proceedings, findings, and sentences are approved, and the sentences will be duly executed.

The proceedings, findings, and sentence in the case of Sergeant *Alexander Brandt*, Company "D," 7th Infantry, are disapproved, for the reason that the Court, by its refusal to continue the trial upon application of the accused, for the purpose of obtaining witnesses to rebut and impeach the testimony introduced by the prosecution, has deprived such testimony of all claim to consideration. (See General Court Martial Order No. 21, War Department, 1872.) Sergeant *Brandt* will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

G. S. Luttrell Ward

1st Lieutenant 22d Infantry, Aide-de-Camp.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 26, 1872.

GENERAL ORDERS)
No. 64.)

Major *De Witt Clinton*, Judge Advocate, U. S. A., having reported at these headquarters in compliance with paragraph II, Special Orders No. 238, current series, War Department, Adjutant General's Office, is hereby announced as Judge Advocate of the Department, relieving Major *G. N. Lieber*, Judge Advocate, U. S. A., who will proceed to comply with the instructions contained in the orders above referred to.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



1st Lieutenant 22d Infantry, Aide-de-Camp.

661. *Stemmatodes* *truncatus*.

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 28, 1872.

GENERAL ORDERS }
No. 65. }

The following communication from the War Department is published for the information and guidance of all concerned, viz.:

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, October 21, 1872.

To

CHIEFS OF BUREAUS OF THE WAR DEPARTMENT.

SIR: I am instructed by the Secretary of War to invite your attention to the following communication from the Treasury Department, in connection with General Orders No. 1, January 9, 1872, from this office, copy herewith:

TREASURY DEPARTMENT.

Washington, D. C., October 3, 1872.

SIR: I have the honor to enclose herewith schedules of checks drawn by U. S. Disbursing Officers of your Department upon the U. S. Assistant Treasurer, New York, in the issue of which the drawers failed to comply with the provisions of Independent Treasury Circular of January 2, 1872, as stated on the schedules.

This Circular having been issued several months, it is presumed that no officer disbursing public moneys is ignorant of its provisions: and, were it not for the embarrassment to the public service likely to arise therefrom, instructions would be immediately issued to the several Independent Treasury officers to refuse payment on any such check hereafter presented for payment, and let the drawer in each case suffer any costs arising from its protest for non-payment. However, if the provisions of the Circular referred to are not better heeded and complied with in future, the necessity of issuing such instructions will become imperative, and I will thank you to call the attention of all Disbursing Officers of your Department to this matter, that if possible the necessity for such action may be avoided.

Very respectfully,

WM. A. RICHARDSON,

Acting Secretary.

HON. W. W. BELKNAP,

Secretary of War.

The Secretary therefore directs that you cause a copy of the Letter and Circular from the Treasury Department to be furnished each Disbursing Officer or Agent on duty in your Department, for his information and guidance.

Very respectfully,

Your obedient servant,

(Signed.)

WM. D. WHIPPLE,

Assistant Adjutant General.

Official copy respectfully furnished, through Headquarters Military Division of the Missouri, for the information of the Commanding General, Department of Dakota.

(Signed.)

WM. D. WHIPPLE,

Assistant Adjutant General.

The following is the Circular from the Treasury Department, above referred to :

1872.

INDEPENDENT TREASURY CIRCULAR, NO. 1.

Instructions relative to Public Moneys and Official Checks of United States Disbursing Officers.

TREASURY DEPARTMENT,

January 2, 1872.

All public money advanced to disbursing officers of the United States must be deposited immediately, to their respective credits, with either the United States Treasurer, some Assistant Treasurer, or Designated Depository, other than a National Bank Depository, nearest or most convenient; or, by special direction of the Secretary of the Treasury, with a National Bank Depository, except—

- (1.) Each disbursing officer of the War Department, specially authorized by the Secretary of War, when stationed on the extreme frontier or at places far remote from such depositories, may keep, at his own risk, such moneys as may be intrusted him for disbursement.
- (2.) Any officer receiving money remitted to him upon specific estimates, will at once disburse the same accordingly, without waiting to place it in a depository, if the payments are due, and he prefers this method to that of drawing checks.

Checks drawn by disbursing officers, upon money thus deposited, should be in favor of the person, by name, to whom payment is to be made, or in favor of such person, by name, or bearer, with these exceptions:

- [A.] Any disbursing officer may draw checks *in favor of himself or bearer*, for such amounts as may be necessary [1] to pay sums under twenty dollars; [2] to pay (a) fixed salaries due at a certain period, he may withdraw the necessary amounts by checks two days before the salaries are to be paid;

(b) to make payments at a distance from a depository, he may withdraw the necessary amount by check.

[B.] Any disbursing officer of the War Department, specially designated by the Secretary of War, may also draw by checks payable to himself, or bearer, the amount of his regular monthly pay-rolls or vouchers, not to exceed five days before the regular date when payment of such pay-rolls or vouchers is due.

All disbursing officers or agents, except Pension Agents, drawing checks on moneys deposited to their official credit, must state on the face or back of each check the object or purpose to which the avails are to be applied. Such statement may be made in brief form, but must clearly indicate the object of the expenditure, as for instance, "pay," "pay-roll," or "payment of troops," adding the fort or station, "purchase of subsistence," or other supplies, "on contract for construction," mentioning the fortification or other public work for which the payment is made, &c.

Pension Agents drawing checks in favor of themselves, or in favor of any person other than a pensioner, must furnish a list, containing the names of the persons to whom payment is to be made from the avails, and the amounts payable to each.

Transfer checks drawn by one disbursing officer in favor of another will be used only to effect a transfer of credit from the drawer to the payee in the depository where they are payable, and to which they should be transmitted by the payee for such purpose.

Excepting checks of Pension Agents in favor of pensioners, and "bounty checks," public depositaries are not required to pay checks of disbursing officers made payable in the alternative, to any person or his order. They *may*, however, pay them when drawn to order, if satisfied of the genuineness of the endorsements and sufficient funds remain to the credit of the drawer.

Checks will not be returned to the drawer after their payment, but the depository with whom the account is kept shall furnish the officer with a monthly statement of his deposit account.

No allowance will be made to any disbursing officer for expenses charged for collecting money on checks.

In case of the death, resignation, or removal of any disbursing officer, checks previously drawn by him will be paid from the funds at his credit, unless said checks have been drawn more than four months before the presentation thereof, or reasons exist for suspecting fraud.

Each disbursing officer is required, when first opening a disbursing account, to furnish his official signature to the officer on whom the checks are drawn before drawing such checks.

No. —. OFFICE OF THE U. S. (*Assistant Treasurer or Depository.*)

_____, _____, 18—.

RECEIVED of _____, _____ dollars, consisting of _____, to be placed to his credit as _____, and subject only to his check in that official capacity.

\$_____. _____, U. S. (*Assistant Treasurer or Depository.*)

A receipt of this form shall be given for every deposit made by a disbursing officer, which shall show, besides its serial number and the place and date of issue, the character of the funds, *i. e.*, whether coin or currency; and if the credit is made by a disbursing officer's check, transferring funds to another disbursing officer, the essential items of the check shall be enumerated; if by a Treasury draft, like items shall be given, including the warrant number. The title of each officer shall be expressed, and the title of the disbursing account shall also show for what branch of the public service the account is kept, it being essential for the proper transaction of Department's business that moneys advanced to a disbursing officer serving in two or more distinct capacities, from different bureaus, be kept separate and distinct from each other, and be so reported to the Department, both by the officer and the depository.

These regulations are intended to supersede those of May 27, 1857, November 10, 1866, January 18, 1868, November 23, 1869, July 14, 1871, October 10, 1871, and November 24, 1871.

GEO. S. BOUTWELL,

Secretary.

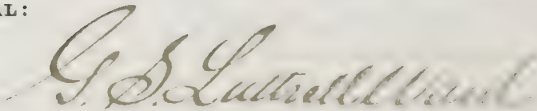
(See acts of August 6, 1846; March 3, 1857; June 14, 1866.)

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



1st Lieutenant 22d Infantry, Aide-de-Camp.

G. C. M.

1. Private *Charles P. Davenport*, Company "C," 7th Infantry.
 2. Private *William H. Sheckell*, Company "C," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 29, 1872.

GENERAL ORDERS } No. 66. }

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 155, current series, from these headquarters, and of which Captain RICHARD COMBA, 7th Infantry, is President, were arraigned and tried:—

1st. Private *Charles P. Davenport*, Company "C," 7th Infantry.

CHARGE.—"Desertion."

Specification.—"In: that he, Private *Charles P. Davenport*, Company 'C,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service at Camp Baker, M. T., on or about February 8th, 1871, and did remain absent therefrom until apprehended at or near Helena, M. T., on or about August 19th, 1872. This at Camp Baker, M. T., on or about February 8th, 1871."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."
 Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Charles P. Davenport*, Company "C," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged from the military service of the United States; and then to be confined at hard labor, in charge of the guard, until July 3d, 1876, with a ball weighing twenty-four pounds attached to his left leg by a chain three feet long.*"

2d. Private *William H. Sheckell*, Company "C," 7th Infantry.

CHARGE I.—"Violation of the 38th Article of War."

Specification.—"In this: that he, Private *William H. Sheckell*, Company 'C,' 7th Infantry, did lose, through neglect, or did dispose of, one (1) Springfield breech-loading musket, cal. 50, model 1868, and 40 rounds C. P. metallic cartridges, cal. 50, for which 1st Lieutenant *William Quinton*, 7th Infantry, is responsible. All this at Fort Benton, M. T., on or about the 15th day of June, 1872."

CHARGE II.—"Desertion."

Specification.—"In: that he, Private *William H. Sheckell*, Company 'C,' 7th Infantry, a duly enlisted soldier in the service of the United States, did desert the said service at Fort Shaw, M. T., on or about June 24th, 1872, and did remain therefrom until apprehended at or near Helena, M. T., on or about August 19th, 1872. This at Fort Shaw, M. T., on or about June 24th, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."
 To the *CHARGE*, "Not Guilty."

CHARGE II.

To the *Specification*, "Guilty."
 To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *William H. Sheckell*, Company "C," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him; to be dishonorably discharged from the military service of the United States; and then to be confined at hard labor, in charge of the guard, until July 3d, 1876, with a ball weighing 24 pounds attached to his left leg by a chain three feet long.*"

II...The proceedings, findings, and sentences in the foregoing cases of Privates *Charles P. Davenport* and *William H. Sheckell*, Company "C," 7th Infantry, are approved, and the sentences will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



Major and Judge Advocate, U. S. Army.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., October 30, 1872.

GENERAL ORDERS)
No. 67.)

Post Commanders will at once cause their respective Staff Officers of the Quartermaster's and Subsistence Departments to prepare and forward through them to these headquarters, the requisite annual estimates for supplies for the fiscal year ending June 30, 1874, as follows, viz :

QUARTERMASTER'S DEPARTMENT.

In triplicate.

1. Fuel.
2. Forage.
3. Straw.
4. Stationery.
5. Barracks and office furniture, including material for their manufacture.
6. Means of transportation.
7. Barracks and quarters, new buildings and repairs, which must be stated separately for each building. Size of sash, glass, doors, nails, &c., to be given.
8. Hospitals and repairs to same, (see General Orders No. 62, current series from these headquarters.)
9. Stoves, stove-pipe, elbows and stove furniture. Size to be given in all cases.
10. Machinery, (including parts for repairs). Size to be given, and when parts are required, accurate and complete description should be stated, with name of maker in all cases if known.
11. Miscellaneous Quartermaster's stores. The size and special use for each article to be clearly shown.
12. Clothing and equipage, based on maximum strength of companies. Articles for sales to officers to be on separate estimates.

All estimates to show the amount of *serviceable* articles on hand at date of estimate, and probable amount on hand June 30, 1873. When

articles are procurable in the country, the prices at which they can be obtained will be stated. Forms of estimate will be furnished by the Chief Quartermaster of the Department. The estimates for this branch of the service must be forwarded in time to reach these headquarters *not later* than the 1st of December of the current year.

SUBSISTENCE DEPARTMENT.

In duplicate.

The annual estimates for the supply of the Subsistence Department will be made out in accordance with the form given in Circular No. 10 of 1867, office Commissary General of Subsistence, U. S. A., on blanks furnished by the Chief Commissary, and should be forwarded in time to be received at these headquarters by January 1. 1873.

Before forwarding the estimates, each Acting Commissary of Subsistence should, in person, carefully examine the stores on hand, and on the estimate, or in the letter of transmittal, state whether any of the articles are unfit for issue or damaged, and if so, the amounts; and also whether any of the articles required can be purchased in the vicinity, and if so, in what quantity and at what price.

The estimates for Commissary property should be forwarded at same time as those for Subsistence Stores, but be made out separately, and showing the amounts and condition of the articles on hand at date of estimate.

Requisitions for Medical Supplies do not require the approval of Post Commanders, and will be sent *direct* to the Medical Director of the Department.

BY COMMAND OF MAJOR GENERAL HANCOCK.

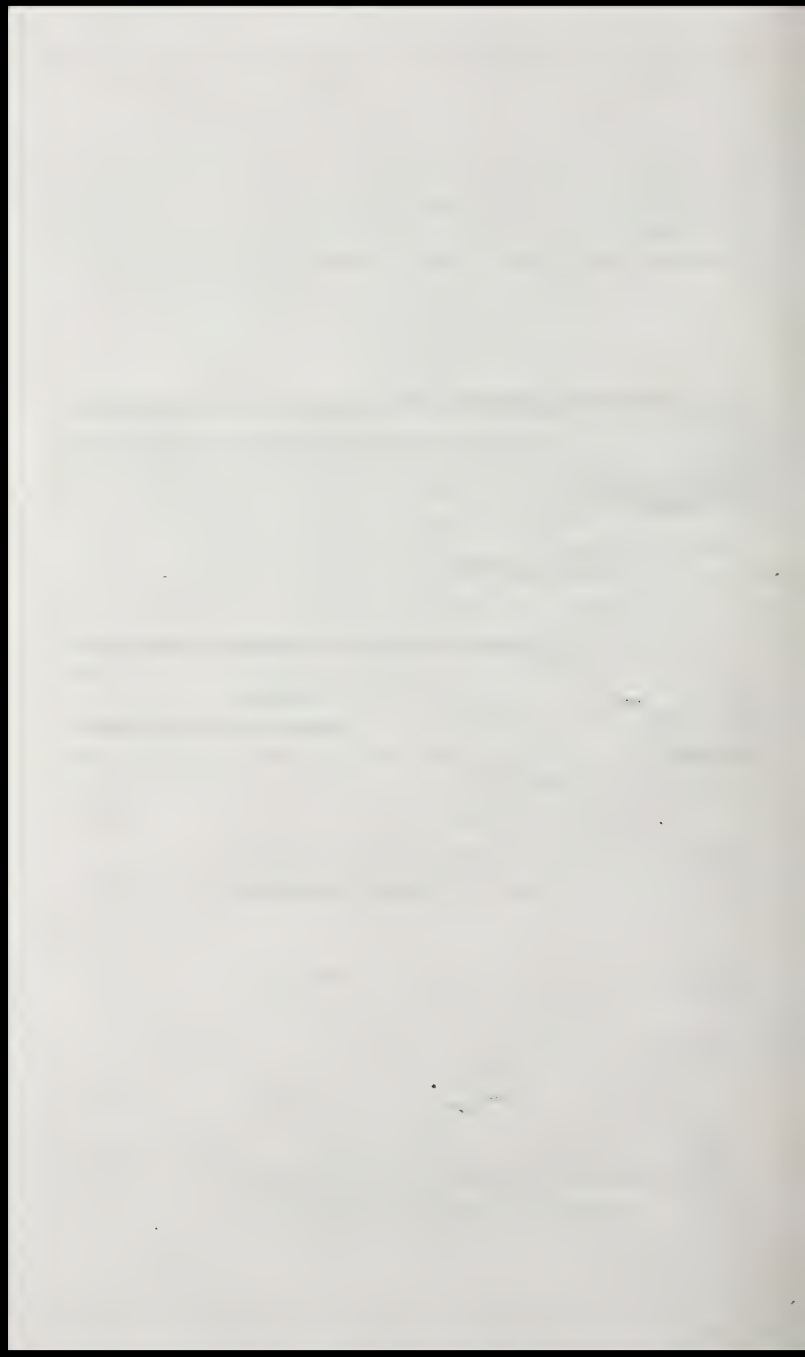
O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:



1st Lieutenant 22d Infantry, Aide-de-Camp.



G. C. M.

1. Private *John Gannon*, Battery "G," 4th Artillery.
 2. Private *Michael Ahern*, Company "A," 17th Infantry.
 3. Private *John Schwartz*, Company "A," 17th Infantry.
 4. Private *James McCue*, Company "B," 17th Infantry.
 5. Private *Constantine McPold*, Company "B," 17th Infantry.
 6. Private *Milo W. Campbell*, Company "D," 17th Infantry.
-

HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 4th, 1872.

GENERAL ORDERS } No. 69. }

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 161, current series, from these headquarters, and of which Major J. N. G. WHISTLER, 22d Infantry, is President, were arraigned and tried:—

- 1st. Private *John Gannon*, Battery "G," 4th Artillery.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *John Gannon*, Battery 'G,' 4th U. S. Artillery, having duly enlisted as a soldier in the service of the United States, on or about the 11th of September, 1871, did desert the same at or near Fort Johnson, N. C., on or about the 27th day of April, 1872, and did remain so absent until he surrendered himself to the Commanding Officer at Fort Stevenson, D. T., on or about the ——day of July, 1872. All this at or near the places, on or about the dates above specified."

CHARGE II.—"Violation of the 22d Article of War."

Specification.—"In this: that he, Private *John Gannon*, Battery 'G,' 4th U. S. Artillery, having been duly enlisted in the service of the United States, and having deserted the same, did enlist in the general service, U. S. Army, on or about the 17th day of June, 1872, at Baltimore, Md., and was thereupon assigned to Company 'H,' 6th U. S. Infantry, without having received a regular discharge from Battery 'G,' 4th U. S. Artillery, in which he last served."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows :

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Gannon*, Battery "G," 4th U. S. Artillery, "*To forfeit to the United States all pay and allowances now due or may become due hereafter ; to be dishonorably discharged the service of the United States ; and thereafter be confined at hard labor in such military prison as the Commanding Officer of the Department may direct, for the period of three (3) years.*"

2d. Private *Michael Ahern*, Company "A," 17th Infantry.

CHARGE.—"Violation of the 6th Article of War."

Specification.—"In this: that he, Private *Michael Ahern*, Company 'A,' 7th U. S. Infantry, did make use of the following language towards the Officer of the Day, 1st Lieutenant Henry Marcotte, 17th Infantry, he being in the execution of his office, 'You go to hell,' or words to that effect. This at Fort Rice, D. T., on the 11th day of June, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Michael Ahern*, Company "A," 17th U. S. Infantry, "*To forfeit to the United States ten dollars per month of his monthly pay for three months, and to be confined at hard labor, in charge of the guard, for thirty (30) days.*"

3d. Private *John Schwartz*, Company "A," 17th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, the said *John Schwartz*, an enlisted soldier in 'A,' Company, 17th Infantry, service of the United States, did desert the same at Grand River Agency, Dakota Territory, on or about June 8th, 1872, and remain absent until apprehended at Lower Brulé Agency, Dakota, on or about June 13th, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Schwartz*, Company "A," 17th U. S. Infantry, "*To forfeit to the United States all pay and allowances now due and which may hereafter become due him; to be dishonorably discharged the service of the United States; and thereafter be confined at hard labor in such military prison as the Commanding Officer of the Department may direct, for the period of three years.*"

4th. Private *James McCue*, Company "B," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *James McCue*, Company 'B,' 17th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Cheyenne Agency, D. T., on or about the 4th day of April, 1872, and did remain absent therefrom until apprehended and brought back as a deserter. Thirty dollars (\$30) being paid for his apprehension. This at Cheyenne Agency, D. T., on or about the date above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *James McCue*, Company 'B,' 17th Infantry, did feloniously take, steal, and carry away, and appropriate to his own use, the following property of the United States, viz.: one (1) Springfield breech-loading rifled musket and forty (40) rounds of ammunition, for which Captain E. P. Pearson, 17th Infantry, was responsible. This at Cheyenne Agency, D. T., on or about April 4th, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'thirty (30) dollars being paid for his apprehension.'"

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James McCue*, Company "B," 17th Infantry, "*To forfeit to the United States all pay and allowances now due or to become due him; to be dishonorably discharged the service of the United States; and to be confined at hard labor for three years, in such military prison as the Commanding Officer of the Department may direct.*"

5th. Private *Constantine McPold*, Company "B," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this: that he, Private *Constantine McPold*, Company 'B,' 17th Infantry, being a duly enlisted soldier in the service of the United States, did desert the same at Cheyenne Agency, D. T., on or about the 4th day of April, 1872, and did remain absent therefrom until apprehended and brought back as a de-

serter. Thirty (30) dollars being paid for his apprehension. This at Cheyenne Agency, D. T., on or about the date above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this: that he, Private *Constantine McPold*, Company 'B,' 17th Infantry, did feloniously take, steal, and carry away and appropriate to his own use, the following property of the United States, viz.: one (1) Springfield breech-loading rifled musket and forty (40) rounds of ammunition, for which Captain E. P. Pearson, 17th Infantry, was responsible. This at Cheyenne Agency, D. T., on or about April 4th, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, confirms the plea of the accused, and finds him as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Constantine McPold*, Company "B," 17th Infantry, "To forfeit to the United States all pay and

allowances now due or to become due him; to be dishonorably discharged from the service of the United States; and then to be confined at hard labor, for three (3) years, in such military prison as the Commanding Officer of the Department may direct."

6th. Private *Milo W. Campbell*, Company "D," 17th Infantry.

CHARGE.—"Violation of the 46th Article of War."

Specification.—"In this: that Private *Milo W. Campbell*, Company 'D,' 17th Infantry, having been regularly posted as a sentinel on Post No. 3, at Fort Rice, D. T., was found asleep on his post. This at Fort Rice, D. T., at or about 12 P. M., on the 27th of July, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Milo W. Campbell*, Company "D," 17th Infantry, "*To forfeit to the United States his monthly pay for the period of one (1) year, and to be confined at hard labor, in charge of the guard, for the same period, wearing a ball and chain attached to the left leg, weighing twenty (20) pounds.*"

II...The proceedings, findings, and sentence in the case of Private *John Gannon*, Battery "G," 4th Artillery, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence

will be duly executed. Fort Stevenson, D. T., is designated as the place of confinement.

The proceedings, findings, and sentence in the case of Private *Michael Ahern*, Company "A," 17th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings, and sentences in the cases of Privates *John Schwartz*, Company "A," *James McCue*, and *Constantine McPold*, Company "B," 17th Infantry, are approved. The sentences are modified so as to make the dishonorable discharge, in each case, take effect upon the expiration of their respective terms of confinement. As thus modified the sentences will be duly executed. Fort Rice, D. T., is designated as the place of their confinement.

The proceedings, findings, and sentence in the case of Private *Milo W. Campbell*, Company "D," 17th Infantry, are approved, but, upon the recommendation of all of the members of the Court present at his trial, the sentence is remitted. He will be released from confinement and restored to duty.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:


Major and Judge Advocate, U. S. Army.

G. C. M.

1. Private *Thomas Johnson*, Company "K," 6th Infantry.
 2. Private *Daniel McLaughlin*, Company "B," 17th Infantry.
 3. Private *Hugh McConachy*, Company "F," 17th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 5, 1872.

GENERAL ORDERS }
No. 70. }

I...Before a General Court Martial which convened at Fort Rice, D. T., by virtue of Special Orders No. 161, current series, from these Headquarters, and of which Lieutenant Colonel C. C. GILBERT, 7th Infantry, is President, were arraigned and tried:—

1st. Private *Thomas Johnson*, Company "K," 6th Infantry.

CHARGE.—"Assault with intent to kill, to the prejudice of good order and military discipline."

Specification.—"In this: that Private *Thomas Johnson*, Company 'K,' 6th Infantry, did, with the intention of killing him, (this intention being evinced by his surreptitiously dropping a number of ball cartridges when being taken to the guard-house,) assault Sergeant Junius Dodson, Company 'K,' 6th Infantry, by firing upon him with a musket loaded with ball cartridge. This at Fort Stevenson, D. T., on or about September 4th, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Thomas Johnson*, Company "K," 6th Infantry.

2d. Private *Daniel McLaughlin*, Company "B," 17th Infantry.

CHARGE I.—"Desertion."

Specification.—"In this : that he, Private *Daniel McLaughlin*, Company 'B,' 17th Infantry, a duly enlisted soldier in the service of the United States, did desert the same at Cheyenne Agency, D. T., on or about the 8th day of April, 1872, and did remain absent therefrom until apprehended at or near Sioux City, Iowa, on or about June 8th, 1872. Thirty (30) dollars reward paid for his apprehension. All this at or near the places and dates above specified."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In this : that he, Private *Daniel McLaughlin*, Company 'B,' 17th Infantry, did feloniously take, steal, and carry away, and appropriate to his own use, the following property of the United States, viz.: one (1) Springfield breech-loading rifled musket, for which Captain E. P. Pearson, 17th Infantry, was responsible. This at or near Cheyenne Agency, D. T., on or about April 8th, 1872."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Not Guilty."

Of the CHARGE, "Not Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Daniel McLaughlin*, Company "B," 17th Infantry, "*To forfeit to the United States all pay and allowances now due or to become due him; to be dishonorably discharged the service of the United States, and to be confined at hard labor, for three (3) years, in such military prison as the Commanding Officer of the Department may direct.*"

3d. Private *Hugh McConachy*, Company "F," 17th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline."

Specification I.—"In this: that Private *Hugh McConachy*, Company 'F,' 17th Infantry, did quit the ranks of his company while it was on escort duty with the Engineers of the North Pacific Railroad Company, and this in direct violation of verbal orders given by 1st Lieutenant F. D. Garretty, 17th Infantry, then in command of Company 'F,' 17th Infantry. All this on the march with the Yellowstone Expedition, on or about September 29th, 1872."

Specification II.—"In this: that Private *Hugh McConachy*, Company 'F,' 17th Infantry, did say, when told by 1st Lieutenant F. D. Garretty, 17th Infantry, that if he left the ranks charges would be preferred against him, 'I know as much about the duties of a soldier as you, (meaning Lieutenant Garretty,) or any one in the regiment. You can't make anything out of me. I know if brought before a court I'll be found guilty anyhow.' All this on

the march with Yellowstone Expedition, on or about September 29th, 1872."

Specification III.—"In this: that Private *Hugh McConachy*, Company 'F,' 17th Infantry, did, when ordered by Lieutenant Garretty to hand over his musket to Sergeant Braumeneau, then acting 1st Sergeant of Company 'F,' 17th Infantry, throw his musket with violence to the ground instead of doing as ordered by his superior officer. All this on the march with the Yellowstone Expedition, on or about September 29th, 1872."

Specification IV.—"In this: that Private *Hugh McConachy*, Company 'F,' 17th Infantry, did, while being placed under guard, say to 1st Lieutenant F. D. Garretty, 17th Infantry, 'God damn you,' or words to that effect. All this on the march with the Yellowstone Expedition, on or about September 29, 1872."

Specification V.—"In this: that Private *Hugh McConachy*, Company 'F,' 17th Infantry, did, while being taken under guard to the quarters of his company, for breakfast, say, in the presence of the acting 1st Sergeant and other men of Company 'F,' 17th Infantry, 'Lieutenant Garretty is a son-of-a-bitch, and I'll fix him off for this,' or words to that effect. This on the march with the Yellowstone Expedition, on or about September 30th, 1872."

To which charge and specifications the accused pleaded as follows:

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the 4th *Specification*, "Not Guilty."

To the 5th *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the 3d *Specification*, "Guilty."

Of the 4th *Specification*, "Guilty."

Of the 5th *Specification*, "Guilty, except the words 'and other men,'
and of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Hugh McConachy*, Company "F," 17th Infantry, "*To forfeit to the United States ten (10) dollars per month of his monthly pay for two (2) years, and to be confined at hard labor in charge of the guard for the same period, wearing a ball and chain weighing twenty pounds attached to his left leg.*"

II...The proceedings, findings, and acquittal in the case of Private *Thomas Johnson*, Company "K," 6th Infantry, are approved. He will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the case of Private *Daniel McLaughlin*, Company "B," 17th Infantry, are approved. The sentence is modified so as to make the dishonorable discharge take effect at the expiration of his term of confinement. As thus modified the sentence will be duly executed. Fort Rice, D. T., is designated as the place of confinement.

The proceedings, findings, and sentence in the case of Private *Hugh McConachy*, Company "F," 17th Infantry, are approved, and the sentence will be duly executed.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



Major and Judge Advocate, U. S. A.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 6, 1872.

GENERAL ORDERS)
No. 71.)

Section 2, of the Act of Congress "making appropriations for the support of the Army for the year ending June thirty, eighteen hundred and seventy-three, and for other purposes," published in General Orders No. 46, current series, War Department, Adjutant General's Office, is re-published for the information and guidance of this command, viz.:

"SEC. 2. That hereafter it shall be illegal to brand, mark, or tattoo on the body of any soldier by sentence of court martial, and the word 'corporeal,' shall be stricken from the forty-fifth of the rules and article for the government of the armies of the United States."

"Approved June 6, 1872."

It will be seen that violations of the 45th Article of War can now be punished otherwise than corporeally.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:


1st Lieutenant 22d Infantry, Aide-de-Camp.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 8, 1872.

GENERAL ORDERS }
No. 72. }

It is announced for the information of all concerned that arrangements have been perfected for running a weekly "Military Express Mail" during the ensuing winter, between Fargo, on the Northern Pacific Railroad, and Fort McKeen, D. T., (at Northern Pacific Railroad crossing of the Missouri river), via Fort Cross and Edwinton. The Commanding Officer of Fort Cross will designate the days of departure of the mail from the termini of the route. All mail matter intended for the following named posts, and sent from points east of the Mississippi river, should take this route, viz: Forts Cross, McKeen, Rice, Stevenson, Buford and Camp Hancock (Edwinton) D. T.


The military mail now carried from Fort Buford, via Fort Stevenson, to Fort McKeen, should run in connection with this route, and to ensure that end, the Commanding Officer of Fort Cross will inform the Commanding Officer of Fort Buford, as soon as determined, the days of departure from Fort McKeen. The Commanding Officer of Fort Buford is hereby authorized to so change the days of arrival and departure at his post as to conform to the time of the route herein instituted, and thus establish a through route without delays. In establishing the days of departure from Fort Buford due allowance must be made, giving the necessary time for changing the mail, &c., at Fort Stevenson.

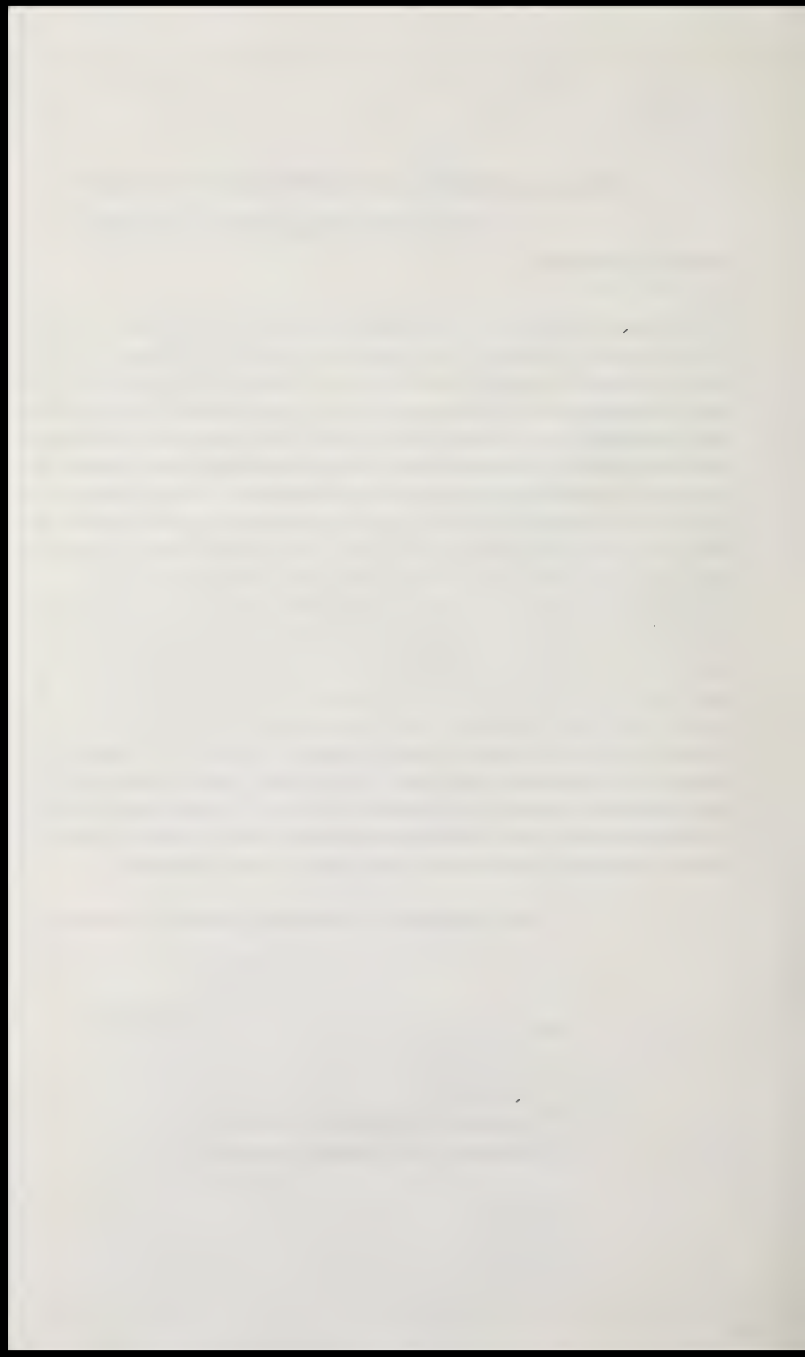
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:


1st Lieutenant 22d Infantry, Aide-de-Camp.



HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 12, 1872.

GENERAL ORDERS)
No. 73.)

It is announced for the information of all concerned that the Honorable Secretary of War has authorized, under date of October 28th, 1872, an increase of *one third* ($\frac{1}{3}$) to the present authorized fuel allowance during the months of November, December, January, February, March, April, and May, at posts in Montana and Northern Dakota.

Until further orders the following named posts will be considered as covered by the term "Northern Dakota," viz.: Forts Abercrombie, Wadsworth, Cross, Totten, Pembina, Sully, Rice, McKeen, Stevenson, and Buford, Grand River and Cheyenne Agencies, and Camp Hancock.

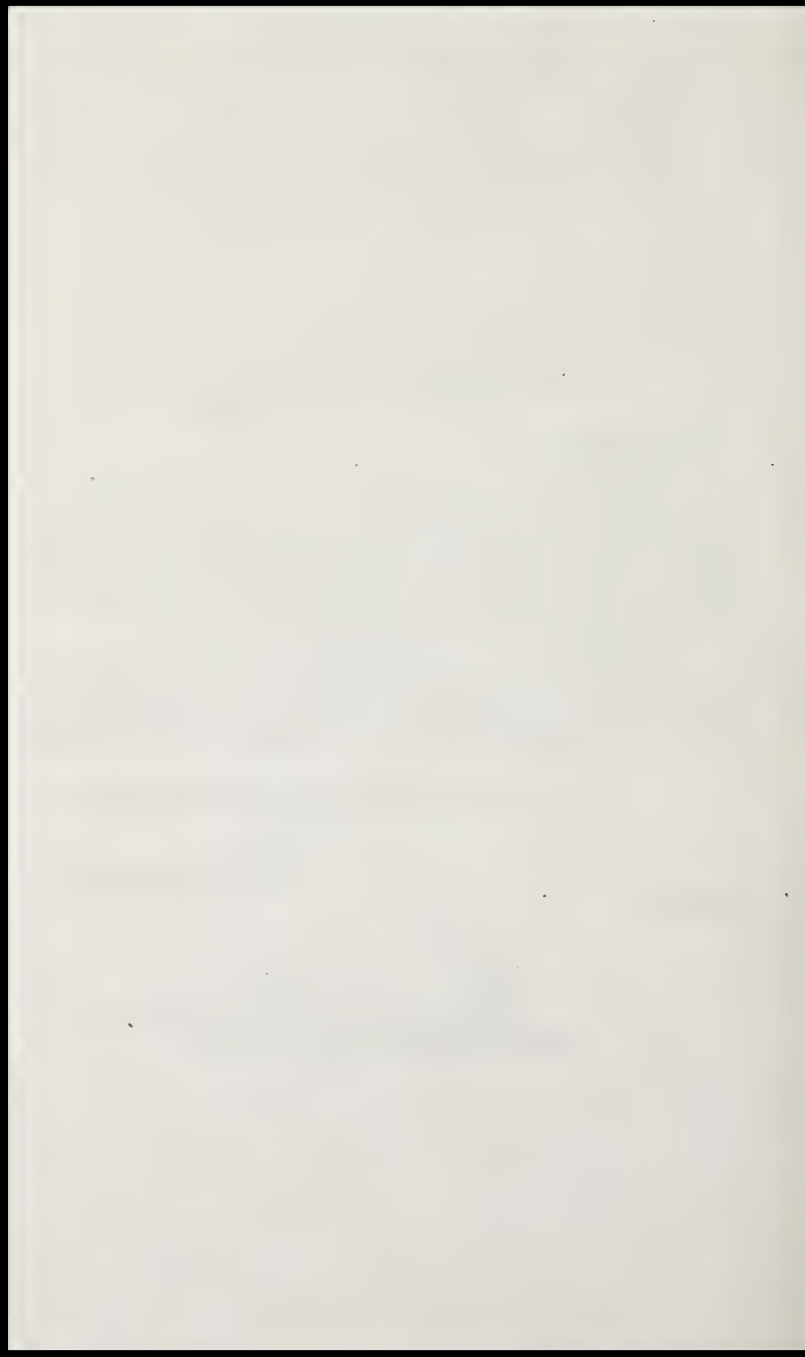
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

Sam J. Hearlon,
Captain 19th Infantry, Aide-de-Camp.



G. C. M.

1. Sergeant Major *Wernard Vogel*, 6th Infantry.
 2. Unassigned Recruit *David H. White*, 6th Infantry.
 3. Private *James L. Lowery*, Company "A," 6th Infantry.
 4. Unassigned Recruit *Charles B. Thompson*, 6th Infantry.
 5. Private *Martin L. Cusey*, Company "G," 6th Infantry.
 6. Private *Charles T. Montfort*, Company "I," 6th Infantry.
 7. Private *Killian Hertwick*, Company "D," 6th Infantry.
 8. Private *Eugene Morris*, Company "F," 6th Infantry.
 9. Private *John Sullivan*, Company "A," 6th Infantry.
 10. Private *Thomas Lynch*, Company "G," 6th Infantry.
 11. Private *Frank King*, Company "A," 6th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 13, 1872.

GENERAL ORDERS }
No. 74. }

I...Before a General Court Martial which convened at Fort Buford, D. T., by virtue of Special Orders No. 156, current series, from these headquarters, and of which Captain MONTGOMERY BRYANT, 6th Infantry, is President, were arraigned and tried:—

1st. Sergeant Major *Wernard Vogel*, 6th Infantry.

CHARGE.—“Disobedience of orders, in violation of the 9th Article of War.”

Specification.—“In: that Sergeant Major *Wernard Vogel*, 6th U. S. Infantry, having been ordered by his superior officer, 2d Lieutenant R. T. Jacob, Jr., 6th U. S. Infantry, Officer of the Guard, to return to the cars, did fail to obey said order, saying, ‘You have

nothing to do with me,' or words to that effect, until taken back under charge of a sentinel, said Lieutenant Jacob, Jr., being at the time in the execution of his office. This at Lawrence, Kansas, en route from Fort Hays, Kansas, to Sioux City, Iowa, on or about the 11th day of May, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Sergeant Major *Wernard Vogel*, 6th Infantry, "*To be reduced to the grade of private, and to forfeit to the United States ten (10) dollars of his pay for one (1) month.*"

2d. Unassigned Recruit *David H. White*, 6th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, *David H. White*, an unassigned recruit of the 6th U. S. Infantry, did desert the service of the United States at Sioux City, Iowa, on or about the 22d day of May, 1872, and did remain away until apprehended at or near Cedar Falls, Iowa, on or about the 19th day of June, 1872. Thirty dollars (\$30.00) reward being paid for his apprehension and delivery. This at Sioux City, Iowa, on or about the 22d day of May, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the *Specification*, "Guilty, except the words, 'desert the service of the United States,' and substituting therefor, 'absent himself without authority,' of these words Guilty, and except the words 'apprehended at Cedar Falls, Iowa, on or about the 19th day of June, 1872,' of the excepted words, Not Guilty."

Of the *CHARGE*, "Not Guilty, but Guilty of absence without leave."

SENTENCE.

And the Court does therefore sentence him, Unassigned Recruit *David H. White*, 6th Infantry, "*To forfeit to the United States ten (10) dollars of his monthly pay for six (6) months, and to be confined at hard labor, under charge of the guard, for the same period.*"

3d. Private *James L. Lowery*, Company "A," 6th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that said Private *James L. Lowery*, Company 'A,' 6th Infantry, having been duly enlisted in the service of the United States, and regularly assigned to Company 'A,' 6th Infantry, did desert therefrom at Columbus, Kansas, on the 16th day of April, 1871, and did remain absent until he surrendered himself at Omaha Barracks, Nebraska, March 23d, 1872. This at Columbus, Kansas, on or about April 16th, 1871."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Guilty."

To the *CHARGE*, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows :

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James L. Lowery*, Company "A," 6th U. S. Infantry, "*To be dishonorably discharged the service, with the loss of all pay and allowances now due or to become due, except the just dues of the laundress, and to be confined at hard labor at such place as the Department Commander may direct, for the period of three (3) years.*"

4th. Unassigned Recruit *Charles B. Thompson*, 6th Infantry.

CHARGE.—"Desertion."

Specification.—"In this: that he, *Charles B. Thompson*, unassigned recruit, 6th Infantry, having been duly enlisted as a soldier in the United States Army, did desert the said service from Sioux City, Iowa, on the 23d day of May, 1872, and did remain absent until brought back as a prisoner on the 25th day of May, 1872. Thirty dollars paid for his apprehension and delivery. This at or near Sioux City, Iowa, on or about the dates above given."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Unassigned Recruit *Charles B. Thompson*, of the 6th Regiment U. S. Infantry, "*To be dishonorably discharged the service, with the loss of all pay and allowances now due or to become due him, except the just dues of the laundress, and to be confined at hard labor, at such place as the Major General Commanding the Department may direct, for the period of three (3) years.*"

5th. Private *Martin L. Casey*, Company "G," 6th Infantry.

CHARGE.—“Desertion.”

Specification.—“In this: that he, Private *Martin L. Casey*, Company ‘G,’ 6th U. S. Infantry, having been duly enlisted in the service of the United States, did desert said service on or about the twenty-second day of May, 1872, and did remain absent until apprehended near Sioux City, Iowa, on or about the 25th day of May, 1872. This at the camp of Company ‘G,’ 6th U. S. Infantry, at or near Sioux City, Iowa, on or about the dates above specified. Thirty dollars (\$30.00) reward having been paid for his apprehension.”

To which charge and specification the accused pleaded as follows:

To the *Specification*, “Not Guilty.”

To the CHARGE, “Not Guilty.”

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, “Guilty.”

Of the CHARGE, “Guilty.”

SENTENCE.

And the Court does therefore sentence him, Private *Martin L. Casey*, Company “G,” 6th Infantry, “*To be dishonorably discharged the service, with the loss of all pay and allowances now due or to become due him, except the just dues of the laundress, and to be confined at hard labor, at such place as the Major General Commanding the Department may direct, for the period of three (3) years.*”

6th. Private *Charles T. Montfort*, Company “I,” 6th Infantry.

CHARGE.—“Drunkenness on duty.”

Specification.—“In this: that Private *Charles T. Montfort*, Company ‘I,’ 6th Infantry, being a member of the guard, did become drunk. This on board steamer ‘*Sioux City*,’ en route to Fort Buford, D. T., on or about June 2d, 1872.”

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."

Of the *CHARGE*, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Charles T. Montfort*, Company "I," 6th Infantry.

7th. Private *Killian Hertwick*, Company "D," 6th Infantry.

CHARGE.—"Conduct to the prejudice of good order and military discipline, in violation of the 99th Article of War."

Specification I.—"In this: that he, Private *Killian Hertwick*, Company 'D,' 6th Infantry, was drunk and disorderly in the quarters of Mrs. Bethon, laundress Company 'G,' 6th Infantry. This at Fort Buford, D. T., July 17th, 1872."

Specification II.—"In this: that he, Private *Killian Hertwick*, Company 'D,' 6th Infantry, did enter the quarters of Mrs. Bethon, laundress Company 'G,' 6th Infantry, while under the influence of intoxicating liquor, and did use insulting language towards said Mrs. Bethon, in words to-wit: 'I love you better than your husband, and you know it,' or words to that effect, and did lift up the dress of said Mrs. Bethon, and when ordered by Private Julius F. Strasche, Company 'G,' 6th Infantry, to leave said Mrs. Bethon alone, and discontinue his insulting language, did lift up an ax against said Private Julius F. Strasche, with the intention to do bodily harm to said Strasche. This at Fort Buford, D. T., July 17th, 1872."

Specification III.—"In this: that he, Private *Killian Hertwick*, Company 'D,' 6th Infantry, did sell, trade, or otherwise dispose of intoxicating liquor to enlisted men. All this at Fort Buford, D. T., on the 17th day of July, 1872."

To which charge and specifications the accused pleaded as follows :

To the 1st *Specification*, "Not Guilty."

To the 2d *Specification*, "Not Guilty."

To the 3d *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the 1st *Specification*, "Guilty, except the words, 'drunk and,' of these words, Not Guilty."

Of the 2d *Specification*, "Guilty, except the words, 'while under the influence of intoxicating liquor,' of these excepted words, Not Guilty."

Of the 3d *Specification*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Killian Hertwick*, Company "D," 6th U. S. Infantry, "To forfeit to the United States ten (10) dollars of his monthly pay for three (3) months, and to be confined at hard labor, under charge of the guard, for the same period."

8th. Private *Eugene Morris*, Company "F," 6th Infantry.

CHARGE.—"Disobedience of orders."

Specification.—"In this: that he, Private *Eugene Morris*, Company 'F,' 6th Infantry, having been duly detailed and mounted as a member of the post guard, and placed in charge of prisoners, with instructions from his superior officer, 1st Lieutenant W. H. H. Crowell, 6th Infantry, Officer of the Guard, not to sit down or hold conversation with any person, except pertaining to his duties, nor allow the prisoners under his charge to loiter, did disobey said orders and instructions by sitting down, and allowing the prisoners to do the same, (unbuttoning his coat and taking off his scales,) and holding conversation with an Indian. This at Fort Buford, D. T., on or about the 28th day of June, 1872."

To which charge and specification the accused pleaded as follows :

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty."

Of the *CHARGE*, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Eugene Morris*, Company "F," 6th U. S. Infantry, "*To forfeit to the United States one (1) dollar of his pay for one month.*" The Court is thus lenient in consideration of the length of time the prisoner has already been confined for his offence.

9th. Private *John Sullivan*, Company "A," 6th Infantry.

CHARGE.—"Violation of the 9th Article of War."

Specification.—"In: that Private *John Sullivan*, of 'A' Company, 6th Infantry, having been ordered by 2d Lieutenant *Nelson Bronson*, 6th Infantry, his superior officer, he being in the discharge of his duty, to go over to camp, as his services were required there, did fail to comply with said order, but did remain at Walnut Creek Rancho, away from his camp some twenty minutes, and did then force himself into the presence of Lieutenant *Bronson* in a disrespectful manner, talking in a loud and boisterous manner to the driver of the spring wagon, which was provided for the conveyance of Lieutenant *Bronson's* family, and when again ordered by Lieutenant *Bronson* to go to his camp, did assume a threatening attitude, and say, 'Who the hell are you talking to,' or words to that effect, and upon Lieutenant *Bronson* advancing towards him, did offer to strike the said Lieutenant *Bronson* with his musket, saying, 'You damn son-of-a-bitch, if you dare to lay your hands on me I will kill you,' or words to that effect, at the same time threatening and attempting to strike the said Lieutenant *Bronson* with his musket, and upon Lieutenant *Bronson* tak-

ing the musket from him in the violent scuffle that ensued, did spring back and draw his bayonet and advance in a dangerous and threatening manner, saying in a loud and threatening voice, 'God damn you, put down that musket,' or words to that effect, and did continue to advance in a threatening manner, flourishing his bayonet, with the intent to do him, the said Lieutenant Bronson, bodily harm, or to compel him to throw down the musket, and did continue to advance in that threatening manner until struck over the head with the barrel of the musket, in the hands of Lieutenant Bronson, when he turned and ran, and did refuse to come back, and did refuse to be taken by the guard which was afterwards sent to bring him back, until knocked down by a musket in the hands of one of the guard. All this at Walnut Creek Rancho, on or about the 3d day of May, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Guilty, except from and including the words, 'and did refuse to come back,' to the excepted part, Not Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Guilty, except the words, 'until knocked down by a musket in the hands of one of the guard,' of the excepted words, Not Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *John Sullivan*, Company "A," 6th U. S. Infantry, "*To be dishonorably discharged the service, with loss of all pay and allowances now due or to become due, and to be confined at hard labor, at such place as the Major General Commanding the Department may direct, for the period of three (3) years.*"

10. Private *Thomas Lynch*, Company "G," 6th Infantry.

CHARGE.—"Sleeping on post, in violation of the 46th Article of War."

Specification.—"In this: that he, Private *Thomas Lynch*, Company 'G,' 6th Infantry, having been regularly posted as a sentinel over prisoners, with instructions to keep them industriously at work, did, while so posted, fall fast asleep. This at Fort Buford, D. T., on or about the 16th day of July, 1872."

To which charge and specification the accused pleaded as follows:

To the *Specification*, "Not Guilty."

To the *CHARGE*, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

Of the *Specification*, "Not Guilty."

Of the *CHARGE*, "Not Guilty."

And the Court does therefore "*acquit him*," Private *Thomas Lynch*, Company "G," 6th Infantry.

11th. Private *Frank King*, Company "A," 6th Infantry.

CHARGE.—"Conduct prejudicial to good order and military discipline, in violation of the 99th Article of War."

Specification I.—"In: that Private *Frank King*, Company 'A,' 6th U. S. Infantry, did make an assault, without just provocation, upon Private John Curlis, Company 'A,' 6th Infantry, on the evening of September 22d, 1872, in the squad room of said company, striking him a violent blow upon the face, saying he would 'put a head on him,' calling him a 'son-of-a-bitch,' and other disgraceful names, and did pursue said Private Curlis out of the squad room to the porch and again strike him, continuing the assault until interfered with by Corporal Burkhardt and others of said company."

Specification II.—"In: that said Private *Frank King*, Company 'A,' 6th Infantry, when ordered to the guard house by 1st Sergeant Harry Hudson, Company 'A,' 6th Infantry, did make use of fil-

thy and vulgar language in presence of and in reference to the men of Company 'A,' 6th Infantry, and 1st Sergeant Harry Hudson, said Company, and did call them all 'God damn sons-of-bitches.' All this at Fort Buford, D. T., on or about the 21st day of September, 1872."

To which charge and specifications the accused pleaded as follows :

To the 1st *Specification*, "Guilty."

To the 2d *Specification*, "Not Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows :

Of the 1st *Specification*, "Guilty."

Of the 2d *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Frank King*, Company "A," 6th U. S. Infantry, "*To forfeit to the United States ten (10) dollars per month of his monthly pay for three (3) months.*"

II...The proceedings, findings, and acquittals in the cases of Privates *Thomas Lynch*, Company "G," and *Charles T. Montfort*, Company "I," 6th Infantry, are approved. They will be released from confinement and restored to duty.

The proceedings, findings, and sentence in the case of Unassigned Recruit *Charles B. Thompson*, 6th Infantry, are approved, but in consideration of the fact that the prisoner is a recruit, the sentence is mitigated to confinement at hard labor, under charge of the guard, for six (6) months, and forfeiture of pay for the same period, excepting the just dues of the laundress. As thus mitigated the sentence will be duly executed.

The proceedings, findings, and sentence in the case of Sergeant Major *Wernard Vogel*, 6th Infantry, are approved. He will be released from confinement and restored to duty as a private.

The proceedings, findings, and sentence in the case of Unassigned Recruit *David H. White*, 6th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings, and sentences in the cases of Privates *Frank King*, Company "A," and *Eugene Morris*, Company "F," 6th Infantry, are approved, and the sentences will be duly executed. They will be released from confinement and restored to duty.

The proceedings and findings in the case of Private *Killian Hertwick*, Company "D," 6th Infantry, are disapproved, the record being defective in that it fails to show any finding to the charge. Owing to the length of time that would elapse should the record be returned to the Court for the necessary correction, the sentence is remitted. Private *Hertwick* will be released from confinement and restored to duty.

The proceedings, findings, and sentences in the cases of Privates *John Sullivan* and *James L. Lowery*, Company "A," and *Martin L. Casey*, Company "G," 6th Infantry, are approved. The sentences are modified so as to make the dishonorable discharge, in each case, take effect at the expiration of their respective terms of confinement. As thus modified the sentences will be duly executed. Fort Buford, D. T., is designated as the place of their confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



Major and Judge Advocate, U. S. A.

HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., November 14, 1872.

GENERAL ORDERS }
No. 75. }


In future, Judge Advocates of General Courts Martial in transmitting proceedings to these headquarters, will enclose the original charges upon which trials were had, and the authority for trial, in each case.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:


1st Lieutenant 22d Infantry, Aide-de-Camp.

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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 15, 1872.

GENERAL ORDERS } No. 76.

To ensure the execution in this Department of General Orders No. 87, current series, War Department, Adjutant General's Office, the following instructions are promulgated for the information and guidance of all concerned.

Until further orders the Acting Assistant Inspector General of the Department will make monthly inspections of the accounts of all disbursing officers in this city, the Quartermaster's and Pay Departments at Sioux City, Iowa, and of the disbursing officers at Fort Abercrombie, D. T. In addition he will make such inspections as may from time to time be required and ordered specially by the Department Commander.

The Commanding Officer of the District of Montana, or an officer to be designated by him, will make monthly inspections of the accounts of the Paymaster at Helena, M. T.

Commanding Officers of all other posts in the Department will make the monthly inspections of the accounts of their respective disbursing officers.

All inspections will be made in the manner prescribed in the orders above quoted, full written reports of which will be rendered to these headquarters as soon as practicable after each inspection.

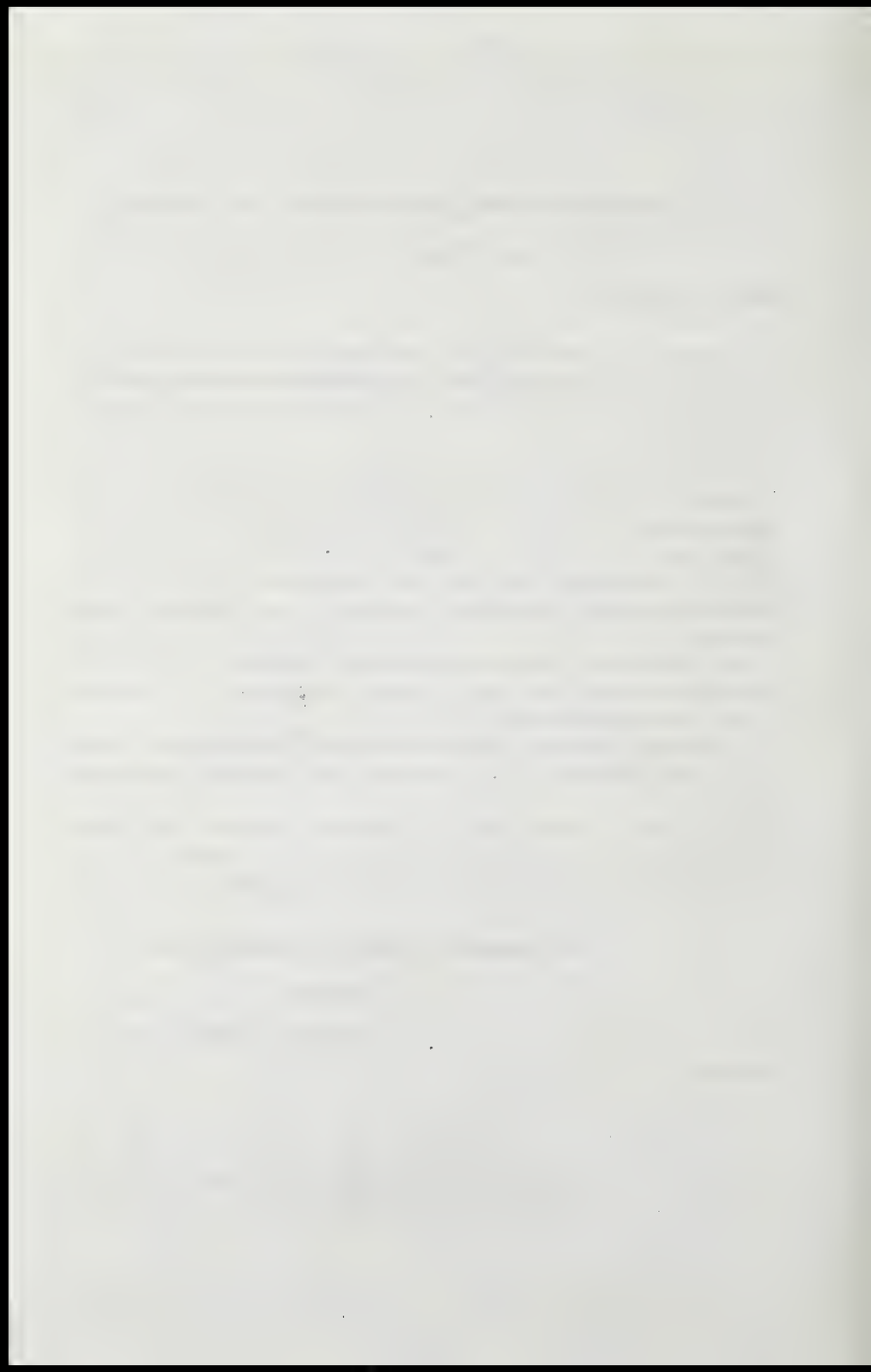
BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

John S. Mearns.
Captain 19th Infantry, Aide-de-Camp.



HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., November 16, 1872.

GENERAL ORDERS)
No. 77.)

In accordance with the instructions of the Lieutenant General Commanding the Military Division of the Missouri, all orders and instructions heretofore issued by subordinate Commanders in this Department, for the regulation of trade with Indians in arms and ammunition, are hereby revoked, or so modified as to meet the following recommendation of the Commissioner of Indian Affairs, viz.: “* * * in view of the unsettled condition and hostile attitude of a portion of the Sioux Nation, I am of the opinion the sale of arms and ammunition to Indians at most of the Agencies in the Territories above named should be stopped, or be placed entirely within the control of the respective Indian Agents. I would therefore respectfully recommend that the Department authorize this office to issue instructions to the several Agents for the Sioux, and also to the Agents at the Milk River and Blackfeet Agencies, to notify the traders at their Agencies to cease selling arms and ammunition to Indians, and to sell no more in future without a permit from the respective Agents, who will be held responsible for the proper use of the arms, &c., whenever permission is granted by them to sell the same; and further, that in case any trader shall sell the articles named without such permit, his license shall be revoked, and he be turned over to the military authorities to be removed beyond the limits of the Indian country, * * *

The views contained in this recommendation having received the sanction of the proper Departments of the Government, are promulgated for the information and guidance of all concerned.

Post Commanders are hereby authorized and instructed to take the requisite action in all cases of violations by Indian traders of the orders of the Indian Agents, which may be brought to their attention, or of which they may otherwise become cognizant.

Post traders who are not regularly authorized Indian traders, are not permitted to trade in arms and ammunition with Indians. Those who are will be governed by the foregoing and such special regulations as may be established by their respective Post Commanders.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:


1st Lieutenant 22d Infantry, Aide-de-Camp.



G. C. M.

1. Private *Arthur Stevens*, Company "B," 7th Infantry.
 2. Private *James Rue*, Company "H," 7th Infantry.
 3. Private *William Fitzgerald*, Company "H," 7th Infantry.
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HEADQUARTERS, DEPARTMENT OF DAKOTA,

Saint Paul, Minn., November 18, 1872.

GENERAL ORDERS }
No. 78. }

I...Before a General Court Martial which convened at Fort Shaw, M. T., by virtue of Special Orders No. 155, current series, from these Headquarters, and of which Assistant Surgeon C. K. WINNE, U. S. A., is President, were arraigned and tried:—

1st. Private *Arthur Stevens*, Company "B," 7th Infantry.

CHARGE I.—"Behaving himself with disrespect towards his Commanding Officer, in violation of the 6th Article of War."

Specification.—"In: that Private *Arthur Stevens*, Company 'B,' 7th Infantry, when ordered by his Commanding Officer, 1st Lieutenant James H. Bradley, 7th U. S. Infantry, Officer of the Day, to stop talking—the said Lieutenant Bradley being at the time engaged in examining Private John Devine, Company 'B,' 7th Infantry, a member of the guard, relative to his allowing said Private *Stevens* to sit down while at work—did say, 'I will not stop talking,' or words to that effect, and did continue to talk in a manner disrespectful to his said Commanding Officer. All this at Fort Benton, M. T., on or about the 30th day of August, 1872."

CHARGE II.—"Disobedience of orders, in violation of the 9th Article of War."

Specification.—"In: that Private *Arthur Stevens*, Company 'B,' 7th Infantry, when ordered by his Superior Officer, 1st Lieutenant *James H. Bradley*, 7th Infantry, he being in the execution of his office as Officer of the Day, to stop talking, did refuse and fail to do so. All this at Fort Benton, M. T., on or about the 30th day of August, 1872."

CHARGE III.—"Conduct to the prejudice of good order and military discipline."

Specification.—"In: that Private *Arthur Stevens*, Company 'B,' 7th Infantry, did say to Lieutenant *James H. Bradley*, 7th Infantry, Officer of the Day, when examining Private *John Devine*, Company 'B,' 7th Infantry, relative to permitting prisoner *Stevens* to sit down while out at work, that he, *Stevens*, was not sitting down, which statement was false, and intended to screen Private *Devine* from punishment for violation of duty as a private of the guard. This at Fort Benton, M. T., August 30th, 1872."

To which charges and specifications the accused pleaded as follows:

CHARGE I.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE II.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

CHARGE III.

To the *Specification*, "Not Guilty."

To the CHARGE, "Not Guilty."

FINDING.

The Court, having maturely considered the evidence adduced, finds the accused as follows:

CHARGE I.

Of the *Specification*, "Guilty, except the words, 'his Commanding Officer,' also excepting the words, 'his said Commanding Officer,' and

substituting for these last excepted words, the words, 'said Lieutenant Bradley.'"

Of the CHARGE, "Not Guilty, but Guilty of conduct to the prejudice of good order and military discipline."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE III.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *Arthur Stevens*, Company "B," 7th Infantry, "*To be confined in charge of the post guard where his company may be serving, for the period of three months, and forfeit to the United States eleven dollars per month of his monthly pay for the same period.*"

2d. Private *James Rue*, Company "H," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In: that he, *James Rue*, private Company 'H,' 7th U. S. Infantry, having been duly enlisted in the military service of the United States, did desert the same, and remain absent until apprehended at or near Helena, M. T., on or about the 29th day of April, 1872. This at or near Fort Shaw, M. T., on or about the 31st day of March, 1872."

CHARGE II.—"Theft, to the prejudice of good order and military discipline."

Specification.—"In: that he, *James Rue*, private Company 'H,' 7th U. S. Infantry, did feloniously steal, take, and carry away, with intent to appropriate to his own use, one Springfield breech-loading rifled musket, cal. 50, the property of the United States, and for which Captain H. B. Freeman is responsible. This at Fort Shaw, M. T., on or about the 31st day of March, 1872."

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

CHARGE II.

To the *Specification*, "Guilty."

To the CHARGE, "Guilty."

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows :

CHARGE I.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

CHARGE II.

Of the *Specification*, "Guilty."

Of the CHARGE, "Guilty."

SENTENCE.

And the Court does therefore sentence him, Private *James Rue*, Company "H," 7th Infantry, "*To forfeit to the United States all pay and allowances now due or that may become due him ; to be dishonorably discharged from the military service of the United States ; and then to be confined in such penitentiary as the General Commanding the Department may direct, until July 3d, 1876.*"

3d. Private *William Fitzgerald*, Company "H," 7th Infantry.

CHARGE I.—"Desertion."

Specification.—"In : that he, *William Fitzgerald*, private Company 'H,' 7th U. S. Infantry, having been duly enlisted in the military service of the United States, did desert the same, and remain absent until apprehended at or near Helena, M. T., on or about the 29th day of April, 1872. This at or near Fort Shaw, M. T., on or about the 31st day of March, 1872."

CHARGE II.—“Theft, to the prejudice of good order and military discipline.”

Specification.—“In: that he, *William Fitzgerald*, private Company ‘H,’ 7th Infantry, did feloniously steal, take, and carry away, with intent to appropriate to his own use, one Springfield breech-loading rifled musket, cal. 50, the property of the United States, and for which Captain H. B. Freeman is responsible. This at or near Fort Shaw, M. T., on or about the 31st day of March, 1872.”

To which charges and specifications the accused pleaded as follows :

CHARGE I.

To the *Specification*, “Guilty.”

To the CHARGE, “Guilty.”

CHARGE II.

To the *Specification*, “Guilty.”

To the CHARGE, “Guilty.”

FINDING.

The Court, having maturely considered the case, confirms the plea of the accused, and finds him as follows :

CHARGE I.

Of the *Specification*, “Guilty.”

Of the CHARGE, “Guilty.”

CHARGE II.

Of the *Specification*, “Guilty.”

Of the CHARGE, “Guilty.”

SENTENCE.

And the Court does therefore sentence him, Private *William Fitzgerald*, Company “H,” 7th Infantry, “To forfeit to the United States all pay and allowances now due or that may become due him ; to be dishonorably discharged from the military service of the United States, and then to be confined in such penitentiary as the General Commanding the Department may designate, until July 3d, 1876.”

II...The proceedings, findings, and sentence in the foregoing case of Private *Arthur Stevens*, Company "B," 7th Infantry, are approved, and the sentence will be duly executed.

The proceedings, findings, and sentences in the foregoing cases of Privates *James Rue* and *William Fitzgerald*, Company "H," 7th Infantry, are approved, and the sentences will be duly executed. The Minnesota State Prison at Stillwater, Minn., is designated as the place of their confinement.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:



Major and Judge Advocate, U. S. A.

HEADQUARTERS DEPARTMENT OF DAKOTA.

Saint Paul, Minn., November 27, 1872.

GENERAL ORDERS }
No. 79. }

Complaints of defective ammunition having recently been received at these headquarters from several posts in the Department, Post Commanders are hereby directed to subject all the various kinds of ammunition at their respective posts to such practical tests, before a Board of Survey, as will determine with great certainty that which may be reasonably considered defective, if any such be found on hand. This will at once be separated, and set aside, from the good, and reported on Inventory and Inspection reports, to these headquarters, for the further orders of the Department Commander. Each Post Commander will also render a special report, explaining in detail the method pursued in making the required test, the result thereof, the amount of each kind of ammunition considered as defective, and when it was received at the post, if practicable to ascertain.

Requisitions in due form will be immediately thereafter submitted, to supply any deficiency of good, serviceable ammunition which may be ascertained to exist.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE.

Assistant Adjutant General.

OFFICIAL:

John S. Martin,
Captain 19th Infantry, Aide-de-Camp.



HEADQUARTERS, DEPARTMENT OF DAKOTA.

Saint Paul, Minn., November 29, 1872.

GENERAL ORDERS }
No. 80. }

Post Commanders in this Department will at once cause a thorough examination to be made by Board of Survey, of all the camp and garrison equipage at their respective posts, with the view of ascertaining if there is on hand, in good condition, a full field supply for the command. Special attention will be given in this examination to the quality and condition of the tents.

Immediately after the required examination is concluded, requisitions in proper form will be forwarded to these headquarters for a sufficient supply to make good any deficiency which may be found to exist.

BY COMMAND OF MAJOR GENERAL HANCOCK.

O. D. GREENE,

Assistant Adjutant General.

OFFICIAL:

A handwritten signature in dark ink, appearing to read "G. S. L. Ward". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

1st Lieutenant 22d Infantry, Aide-de-Camp.

HEADQUARTERS DEPARTMENT OF DAKOTA.

Saint Paul, Minn., December 3, 1872.

GENERAL ORDERS)
No. 81.)

To enable him to comply with the requirements of General Orders No. 100, current series, Headquarters of the Army, Adjutant General's Office, assigning him to command the Military Division of the Atlantic and the Department of the East, the undersigned hereby relinquishes command of the Department of Dakota.

WINFIELD S. HANCOCK,

Major General, U. S. A.

OFFICIAL:

John D. Hartman.
Captain 19th Infantry, Aide-de-Camp.

m.t. 2

January 1866

